

**GENOA CHARTER TOWNSHIP  
PLANNING COMMISSION  
PUBLIC HEARING  
OCTOBER 12, 2021  
6:30 P.M.  
AGENDA**

**CALL TO ORDER:**

**PLEDGE OF ALLEGIANCE:**

**APPROVAL OF AGENDA:**

**DECLARATION OF CONFLICT OF INTEREST:**

**CALL TO THE PUBLIC: *(Note: The Board reserves the right to not begin new business after 10:00 p.m.)***

**PRESENTATION BY LIVINGSTON COUNTY PLANNING COMMISSION**

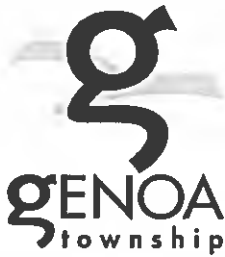
**OPEN PUBLIC HEARING # 1**...Review of a special use application, environmental impact assessment and site plan for a commercial stable located at 7318 Herbst Road, south side of Herbst Road, east of Hubert Road. The request is petitioned by the Nancy Merlo, Brighton Equestrian Club.

- A. Recommendation of Special Use Application
- B. Recommendation of Environmental Impact Assessment (5-1-19)
- C. Recommendation of Site Plan (7-16-21)

**OPEN PUBLIC HEARING #2**... A request of a rezoning from Industrial (IND) to Planned Industrial District (PID), Planned Industrial Development Agreement, Environmental Impact Assessment and Conceptual PID site plan for a proposed asphalt plant at 3080 Toddiem Drive, located at Victory Drive and Toddiem Drive intersection. The rezoning includes the following parcels: 4711-08-100-009 and 4711-05-303-015. The request is petitioned by Net Least Associates South, LLC.

- A. Recommendation of Rezoning and PUD Application
- B. Recommendation of PID Agreement
- C. Recommendation of Impact Assessment (9-1-2021)
- D. Recommendation of Conceptual PUD Plan (9-21-2021)

- *Staff Report*
- *Approval of September 13, 2021 Planning Commission meeting minutes*
- *Member discussion*
- *Adjournment*



**GENOA CHARTER TOWNSHIP**  
**Application for Site Plan Review**

**GENOA TOWNSHIP**

**MAY - 1 2019**

**RECEIVED**

**TO THE GENOA TOWNSHIP PLANNING COMMISSION AND TOWNSHIP BOARD:**

APPLICANT NAME & ADDRESS: Nancy Merlo, Brighton Equestrian Club, 7318 Herbst Road  
*If applicant is not the owner, a letter of Authorization from Property Owner is needed.*

OWNER'S NAME & ADDRESS: Nancy Merlo, 7318 Herbst Road, Genoa Twp

SITE ADDRESS: 7318 Herbst Road PARCEL #(s): 4711-24-100-014

APPLICANT PHONE: (248 )866-1142 OWNER PHONE: ( 248 ) 866-1142

OWNER EMAIL: nancy@clubBEC.com

LOCATION AND BRIEF DESCRIPTION OF SITE: Brighton Equestrian Club ("BEC") is located on 97  
acres of the former Herbst farm on Herbst road adjacent to I-96.

BRIEF STATEMENT OF PROPOSED USE: BEC's use is currently authorized by the Right  
to Farm Act. BEC's use includes use as a commercial stable for academies, rearing  
and housing of horses and related uses as described in section 3.03.02(h).

Such use may also include horse shows and other horse related member and guest events in the  
clubhouse.

THE FOLLOWING BUILDINGS ARE PROPOSED: No new buildings are proposed.

**I HEREBY CERTIFY THAT ALL INFORMATION AND DATA ATTACHED TO AND MADE  
PART OF THIS APPLICATION IS TRUE AND ACCURATE TO THE BEST OF MY  
KNOWLEDGE AND BELIEF.**

BY: Nancy L. Merlo

ADDRESS: 7318 Herbst Rd, Genoa Twp.

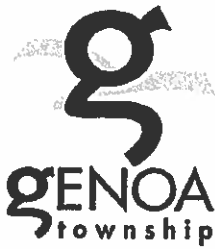
**Contact Information** - Review Letters and Correspondence shall be forwarded to the following:

1.) Nancy Merlo of Brighton Equestrian Club at nancy@clubBEC.com  
Name Business Affiliation E-mail Address

**FEE EXCEEDANCE AGREEMENT**

As stated on the site plan review fee schedule, all site plans are allocated two (2) consultant reviews and one (1) Planning Commission meeting. If additional reviews or meetings are necessary, the applicant will be required to pay the actual incurred costs for the additional reviews. If applicable, additional review fee payment will be required concurrent with submittal to the Township Board. By signing below, applicant indicates agreement and full understanding of this policy.

SIGNATURE: Nancy Merlo DATE: April 29, 2019  
PRINT NAME: Nancy Merlo PHONE: 248-866-1142  
ADDRESS: 7318 Herbst Rd, Genoa Twp



**GENOA CHARTER TOWNSHIP  
Special Land Use Application**

This application must be accompanied by a site plan review application and the associated submittal requirements. (The Zoning Official may allow a less detailed sketch plan for a change in use.)

APPLICANT NAME & ADDRESS: Nancy Merlo - Brighton Equestrian Club, 7318 Herbst Rd  
*Submit a letter of Authorization from Property Owner if application is signed by Acting Agent.*

APPLICANT PHONE: 248 ) 866-1142 EMAIL: nancy@clubBEC.com

OWNER NAME & ADDRESS: Nancy Merlo, 7318 Herbst Rd

SITE ADDRESS: 7318 Herbst Rd PARCEL #(s): 4711-24-100-014

OWNER PHONE: 248 ) 866-1142 EMAIL: nancy@clubBEC.com

**Location and brief description of site and surroundings:**

Brighton Equestrian Club is located on 97 acres of the former Herbst farm. Surrounding area includes mobile home development, single family rural residential and other agricultural uses.

**Proposed Use:**

Brighton Equestrian Club ("BEC") is currently authorized by the Right to Farm Act. BEC's use includes use as a commercial stable for academies, rearing and housing of horses and related uses as described in section 3.03.02(h). Such use may also include horse shows, and other horse related member and guest events in the clubhouse.

**Describe how your request meets the Zoning Ordinance General Review Standards (section 19.03):**

- a. Describe how the use will be compatible and in accordance with the goals, objectives, and policies of the Genoa Township Comprehensive Plan and subarea plans, and will promote the Statement of Purpose of the zoning district in which the use is proposed.

BEC's use promotes the AG statement of purpose by maintaining the irreplaceable agricultural soils and farmland from turning into yet another residential subdivision. The facility is well served by public facilities and will not over tax the roads and infrastructure. Further, all uses are in strict compliance with the right to farm act to minimize any potential nuisance to neighbors.

- b. Describe how the use will be designed, constructed, operated, and maintained to be compatible with, and not significantly alter, the existing or intended character of the general vicinity.

BEC contains stables, clubhouse and pastures. The pastures front all roads and neighboring properties. The stables and clubhouse were designed with an appealing facade in keeping with agricultural buildings of a similar nature.

- c. How will the use be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, water and sewage facilities, refuse disposal and schools?

The property is currently served by Herbst road which offers more than adequate access for all purposes. Drainage, water and sewer has not been altered from the original Herbst farm so does not put any additional tax on that system.



d. Will the use involve any uses, activities, processes, or materials potentially detrimental to the natural environment, public health, safety, or welfare by reason of excessive production of traffic, noise, vibration, smoke, fumes, odors, glare, or other such nuisance? If so, how will the impacts be mitigated?

All farming uses are in strict compliance with the Right to Farm Act which pays close attention to proper noise and odor management through proper planning and maintenance. Guests, members, riders and employees at BEC will not cause a noticeable impact on traffic as it will be spread out throughout the day.

e. Does the use have specific criteria as listed in the Zoning Ordinance (sections 3.03.02, 7.02.02, & 8.02.02)? If so, describe how the criteria are met.

3.03.02(h) permits Commercial Stables as a special land use. All criteria contained in that ordinance section are being complied with including numbers of animals, distance from dwellings, fencing and nuisance management.

I HEREBY CERTIFY THAT ALL INFORMATION AND DATA ATTACHED TO AND MADE PART OF THIS APPLICATION ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I AGREE TO DESIGN, CONSTRUCT AND OPERATE, AND MAINTAIN THESE PREMISES AND THE BUILDINGS, STRUCTURES, AND FACILITIES WHICH ARE GOVERNED BY THIS PERMIT IN ACCORDANCE WITH THE STATED REQUIREMENTS OF THE GENOA TOWNSHIP ZONING ORDINANCE, AND SUCH ADDITIONAL LIMITS AND SAFEGUARDS AS MAY BE MADE A PART OF THIS PERMIT.

THE UNDERSIGNED Nancy Merlo STATES THAT THEY ARE THE FREE OWNER OF THE PROPERTY OF PROPERTIES DESCRIBED ABOVE AND MAKES APPLICATION FOR THIS SPECIAL LAND USE PERMIT.

BY: Nancy Merlo

ADDRESS: 7318 Herbst Road, Genoa Township

**Contact Information** - Review Letters and Correspondence shall be forwarded to the following:

Nancy Merlo of Brighton Equestrian Club at nancy@clubBEC.com  
Name Business Affiliation Email

**FEE EXCEEDANCE AGREEMENT**

As stated on the site plan review fee schedule, all site plans are allocated two (2) consultant reviews and one (1) Planning Commission meeting. If additional reviews or meetings are necessary, the applicant will be required to pay the actual incurred costs for the additional reviews. If applicable, additional review fee payment will be required concurrent with submittal to the Township Board. By signing below, applicant indicates agreement and full understanding of this policy.

SIGNATURE: Nancy Merlo DATE: 5/29/18

PRINT NAME: Nancy Merlo PHONE: 248-866-1142

**OPEN PUBLIC HEARING # 1...**Review of a special use application, environmental impact assessment and site plan for a commercial stable located at 7318 Herbst Road, south side of Herbst Road, east of Hubert Road. The request is petitioned by the Nancy Merlo, Brighton Equestrian Club.

- A. Recommendation of Special Use Application
- B. Recommendation of Environmental Impact Assessment (5-1-19)
- C. Recommendation of Site Plan (7-16-21)

Chairman Grajek stated the applicant requested to have this item tabled this evening; however, a call to the public will be made.

The call to the public was made at 8:32 pm.

Mr. Bill Kapelanski of 2636 Spring Grove Drive does not understand the commercial aspect of this being requested now because they have been in business for over three years. Ms. VanMarter stated that the applicant was building a private stable for her own horses; however, after the building was completed they started having non-equestrian events at the location, such as parties, baby showers, etc. so this makes it a commercial instead of a private use.

Mr. Kapelanski stated he and his neighbors have always thought it was a commercial use. He is concerned with the horse manure seeping into the community kettle pond that they share, hearing gunshots from the property, and the traffic that is on Herbst Road.

Mr. Hugh Rowe of 2550 Spring Grove Drive stated what was built there is not compatible with the surrounding neighbors in the area. If this will be expanded and used for more events, he will be concerned.

Mr. Mark Faulkner of 2496 Spring Grove Drive has approximately ¼ mile of shared property with the applicant. The applicant is spreading manure 10 feet from their property line and their well is also in that area. He is concerned with the quality of the water in the shared kettle pond, the construction equipment that the applicant stores on her property for their cement business, and the traffic on Herbst Road.

Mr. James Rohrer of 7442 Herbst Road objects to this proposal due to the traffic, the construction equipment traffic and its storage on their property. There has been a police response at one of the weddings, and the use of holding weddings where there will be alcohol is not appropriate for the middle of a subdivision. The applicant has contacted a neighbor to request to purchase her property and expand her business.

Ms. VanMarter stated she has received all of the public letters and has forwarded them to the Commission. She has another one from another neighbor and she will be shared with the Commission in the next meeting packet.

The call to the public was closed at 8:47 pm.

**Moved** by Commissioner Dhaenens, seconded by Commissioner McCreary, to table the review of a Special Land Use, Environmental Impact Assessment and Site Plan for commercial stable located at 7318 Herbst Road until the Tuesday, October 12, 2021 Planning Commission meeting per the applicant's request. **The motion carried unanimously.**

**OPEN PUBLIC HEARING #2...**Review of a sketch plan for a proposed trash compactor inside the existing Salvation Army building and removal of the existing dumpster enclosure located at 7000 Grand River, Brighton. The request is petitioned by The Salvation Army Southeast Michigan ARC.

A. Disposition of Sketch Plan

Ms. Courtney Rauch of the Salvation Army stated they would like to install a compactor inside the warehouse portion of the store. This would reduce truck traffic and would remove the existing dumpster enclosure. They would like to keep the parking spaces that are located in front of the proposed door for the compactor because the compactor will be changed prior to business hours. The property owner has advised they will improve the landscape as requested by the Township.

Mr. Borden reviewed his letter dated September 8, 2021.

- The only external modification is the inclusion of a new overhead door on the westerly façade.
- We suggest the space in front of the overhead door be signed/striped as no parking. He is not concerned with the parking space remaining per the reasoning noted by the applicant this evening.
- If any existing site landscaping is in poor condition, such plantings should be replaced as part of this project.

Ms. Byrne stated they have no engineering related concerns with this proposal.

Fire Marshal Rick Boisvert's letter dated September 2, 2021 stated that the fire code permits the installation of the compactor and associated dumpster to be installed within the structure as it is protected throughout with an automatic sprinkler system. The existing fire lane markings shall be maintained and evaluated at time of inspection. The fire lanes shall not be obstructed by construction materials, dumpsters, or vehicles. Signs shall be maintained to be legible and unobstructed by vegetation.

Commissioner McCreary asked what items will be put in the compactor and how it will be used. She is concerned about safety. Ms. Envoy Jaqueline stated it is a 16-yard compactor that will be used for everything that cannot be used or sold, with the exception of cloth goods, as well as

**Kelly VanMarter**

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**From:** MARK FAULKNER <mdfaulkner@comcast.net>  
**Sent:** Tuesday, September 14, 2021 5:55 PM  
**To:** Kelly VanMarter  
**Subject:** BEC Special Use Permit

To Genoa Township Planning Board;  
Thoughts on Brighton Equestrian Center request for special permit;

We have submitted a list of our concerns to the Board previously and after attending meeting I have additional thoughts.

I have had a conversation with MDARD regarding the spreading of manure on property. After explaining the practices I have witnessed, they indicated that is not the proper way of disposal. I would suggest a call to MDARD to set up an instructional session with BEC to clarify best practices to appropriate employees. This may address the odor and pollution concerns.

All businesses are subject to landscape requirements as part of a construction process, it would seem that a thoughtful application of evergreens would soften the visual, noise and odor concerns reported.

We would like to see a Greenspace required East of the buildings to help with runoff into lake, downwind odors, visual aspect, and noise reduction.

I have spoke with Nancy Merlot on several occasions, initially as a good neighbor and other times regarding concerns of activities. I find her to be very passionate about her vision for BEC.

We too are very passionate about our home and are continuously maintaining and improving our property. We purchased our property with the vision of this being our retirement home. We were aware of zoning requirements, building codes and HOA restrictions when we purchased it and built our home. We have now lived here 27 years and have abided by the rules, have not done anything to endanger or offend any of our neighbors.

I'm sure BEC was aware of property restrictions when they made their property purchase. I don't feel we should make concessions because her vision has changed from when she originally purchased the property to now BEC becoming a commercial entity.

I expect the board to consider concerns from all interested parties and make a decision that is equitable to all. We have heard from the board that this request has been going on for a year and a half and I trust that persistence won't be a part of the final decision.

Thank You for your time,

Mark & Mary Faulkner

2496 Spring Grove

## Kelly VanMarter

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**From:** MARK FAULKNER <mdfaulkner@comcast.net>  
**Sent:** Sunday, September 12, 2021 6:48 PM  
**To:** Kelly VanMarter  
**Subject:** Brighton Equestrian Club Public Hearing

We live east of the horse farm on 5 acres at 2496 Spring Grove Dr. and the entire length of our property is alongside the horse farm

Our concerns with the rezoning of their property to commercial are as follows:

- The smell of manure would come into our home when our windows were open or when we were just outside. Our grandkids would not go outside because of the smell. They have stopped spreading the manure by our property line but with the increased activity it will eventually increase the smell.
- Boarding of animals and spreading their waste and the potential effect of contamination to the lake and we have been told the lake is part of the Brighton water supply aquifer
- The potential risk of contaminating our drinking water because our well is located 10 feet from their property
- The lake is small and does rezoning allow them to be able to host camps and put boats, rafts, etc on the lake? The lake is too small to allow any increased activity with the current homes on the lake
- They store their equipment and other businesses equipment on this property. They have put up a storage unit but not all the large equipment is put in that unit and this is our view from our home
- If the property is zoned commercial could any type of commercial business be put on the property that would not be appropriate for residential homes on the lake
- The increased traffic on Herbst road is becoming very dangerous when they host functions. Guests leaving their property have no regard for speed limits and it is becoming very unsafe when trying to pull out of our road.
- We have paid to stock the lake with fish. Everyone that lives on the lake only fishes as a catch and release. The employees of the horse farm have taken all the fish out of the lake.
- Could a green space be set between the east end of the property to protect our property, and also run-off into the lake
- Could a screen of large evergreens be put up to shield their business activities such as spreading manure, parties, etc.

Mark and Mary Faulkner  
2496 Spring Grove Dr.  
Brighton MI 48114  
734-216-7805

## Kelly VanMarter

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**From:** Greg Rusnica <grusnicaus@gmail.com>  
**Sent:** Monday, September 13, 2021 3:19 PM  
**To:** Kelly VanMarter  
**Subject:** Brighton Equestrian Club, and Bar, Partyville, construction Company ETC.

Brighton Equestrian Club, Hello my name is Greg Rusnica my wife and I live directly across the street from the BEC. The concerns I have are the party after hours and people driving in and out of there while they have parties going on. We're very tired of the person(s) leaving and driving down the road like they have the need for speed, kicking up dirt, reckless driving. The biggest concern is with the truck's coming and going all hours of the day, sometime late at night, I can't believe that Ray Merlo just decided a while back over 6 months to start running his company from there also, it's a horse stable and not a construction company. Why is he using that facility to park his 18 wheelers and other equipment there, he doesn't pay taxes for Merlo Construction in Genoa Township. Ever since they have opened there has been nothing but traffic galore, and the road is getting ruined by those larger vehicles. When are the Merlo's going to be stopped at doing what they want to do. It used to be very quiet until they decided to DO WHAT THEY WANT, basically for \$50 a crack!!!! Because of the business can't the speed limit be dropped to 25 MPH in that area? It seems like it's a law, I could be wrong. Thank you

## Kelly VanMarter

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**From:** ronda golip <rondagolip@hotmail.com>  
**Sent:** Monday, September 13, 2021 12:09 PM  
**To:** Kelly VanMarter  
**Subject:** Brighton Equestrian Club

Good Evening MS. VanMarter,

We are unable to attend this meeting. We do however have some concerns. The traffic that comes in and out of the BEC is ridiculous. We along with a neighbor counted 33 Merlo trucks in one day and on a sperate day there was 36. We realize we live on a dirty road and the speed limit is 50. However, we have clocked the traffic exiting the BEC at higher speeds then that. We have voiced our concerns as well as our neighbors to the police, township and road commission. We have signed several petitions that have been brought by our house from residents of the road. We have a hearing-impaired daughter and have had signs placed up by the road commission. We cannot let her ride her bike in front of our house or get our mail anymore. Our grandson hates coming over because of the smell in the air from the barn. The traffic that flies down the road passed our home and turns into the BEC is more then we all bargained for. You can't go outside of your home and enjoy the day without being choked out by the road dusted coming from the BEC traffic of Merlo trucks. I can't tell you how many times we have had people stop at our house regarding the BEC smell and traffic that also live on this road. Allowing this commercial stable permit would cause an already busy road to get worse. Mrs. Merlo will tell you we don't like her. She would be correct, however, personal feeling aside. This was a quiet neighborhood . The BEC has taken that from us all. We have our property for sale. We have had prospective buyers at our home and they have commented on the amount of traffic that the barn has with large equipment. Herbst road has a high amount of traffic on a daily bases. With a lot of the traffic exceeding the speed limit. We are not saying it is all the BEC fault but their traffic and large trucks don't help the problem at all. Serval of us have tried to reach out to Mrs. Merlo about the traffic and noise and we have all yet to get a call back. We as neighbors all show each other neighborly respect. Mrs. Merlo should show the same respect to her neighbors. She touted when she bought the property that it was for personal use. She should be held to that.

Bill and Ronda Golip

## Kelly VanMarter

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**From:** Bill <billpkap@gmail.com>  
**Sent:** Monday, September 13, 2021 8:14 AM  
**To:** Kelly VanMarter  
**Subject:** Brighton Equestrian Club public hearing

Good morning,

I have a few questions for the meeting tonight:

My understanding is that the Brighton Equestrian Club is already a commercial stable. What changes would take place if the special land use permit is approved?

What would be the impact on Herbst Road? On the body of water that borders the BEC property (and the property of other homeowners)?

Is something going to be done about the disposal of horse manure? How is that impacting the water quality right now? I understand that BEC is putting the horse waste against the property line adjacent to a homeowner. I hope this has changed but as of earlier this summer they were still dumping waste there.

Thank you for taking my questions. I look forward to the meeting tonight.

Sincerely,

Bill Kapelanski





**NOTICE OF PUBLIC HEARING – SEPTEMBER 13, 2021  
(SPECIAL USE)**

August 26, 2021

To Whom It May Concern:

Please be advised that the Planning Commission of Genoa Charter Township will conduct a public hearing on **Monday, September 13, 2021 commencing at 6:30 p.m.** As required by state law, you are receiving this notice because you have been identified as an owner or occupant of real property within 300 feet of the subject parcels.

The property in question is located at 7318 Herbst Road on the south side of Herbst Road, east of Hubert Road on parcel #4711-24-100-014. **The applicant is requesting a special land use permit to allow a commercial stable at the Brighton Equestrian Club. The request is petitioned by Nancy Merlo, Brighton Equestrian Club.**

You are invited to attend this hearing. Members of the public will be able to speak during the public hearing portions of the meeting. If, prior to the meeting, members of the public have certain questions or wish to provide input on any business that will be addressed at the meeting then such persons may contact the Planning Commissioners through Kelly VanMarter, Township Community Development Director by email to [Kelly@genoa.org](mailto:Kelly@genoa.org), or by mail at 2911 Dorr Road, Brighton, Michigan 48116.

Genoa Charter Township will provide necessary reasonable auxiliary aids and services to individuals with disabilities at the meeting/hearing upon seven (7) days' notice to the Township. Individuals with disabilities requiring auxiliary aids or services should contact the Township in writing or by calling at (810) 227-5225.

Sincerely,

Kelly VanMarter,  
Assistant Township Manager / Community Development Director

2911 Dorr Road  
Brighton, MI 48116  
810.227.5225  
810.227.3420 fax  
[genoa.org](http://genoa.org)

**SUPERVISOR**

Bill Rogers

**CLERK**

Paulette A. Skolarus

**TREASURER**

Robin L. Hunt

**TRUSTEES**

Jean W. Ledford

H. James Mortensen

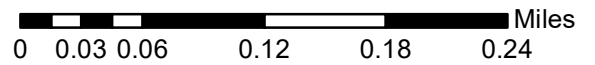
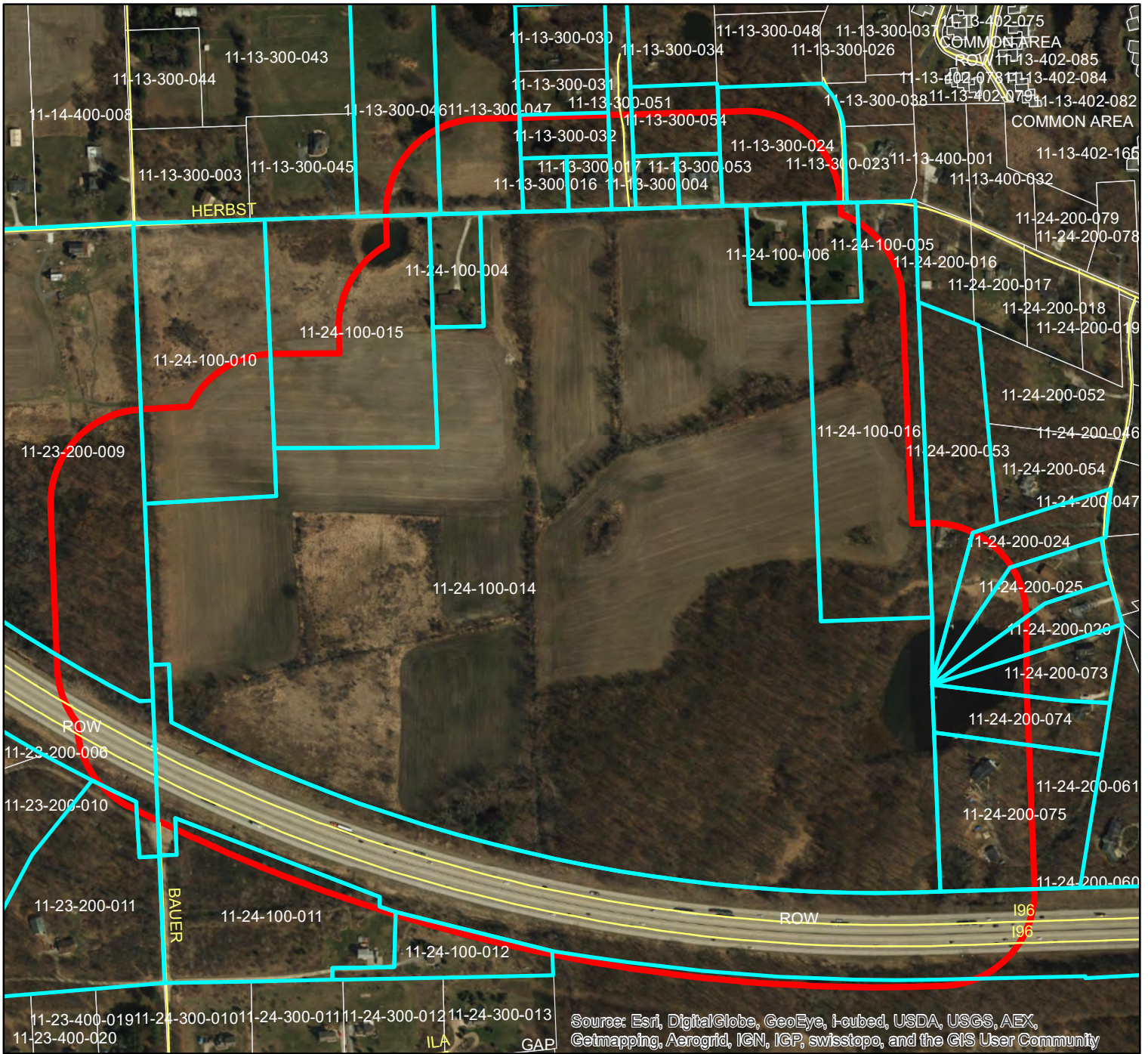
Terry Croft

Diana Lowe

**MANAGER**

Michael C. Archinal

# 300 Foot Buffer for Noticing



Special Use: Brighton Equestrian Club

Address: 7318 Herbst Road

Parcel: 4711-24-100-014

Meeting Date: June 10, 2019



May 20, 2019

September 8, 2021

Planning Commission  
Genoa Township  
2911 Dorr Road  
Brighton, Michigan 48116

<b>Attention:</b>	Kelly Van Marter, AICP Planning Director and Assistant Township Manager
<b>Subject:</b>	Brighton Equestrian Club – Special Land Use and Site Plan Review #1
<b>Location:</b>	7318 Herbst Road – south side of Herbst, east of Huber Road
<b>Zoning:</b>	AG Agricultural District

Dear Commissioners:

At the Township’s request, we have reviewed the submittal from Brighton Equestrian Club, including the original special land use application (dated 5/29/18) and the revised site plan (dated 7/16/21).

**A. Summary**

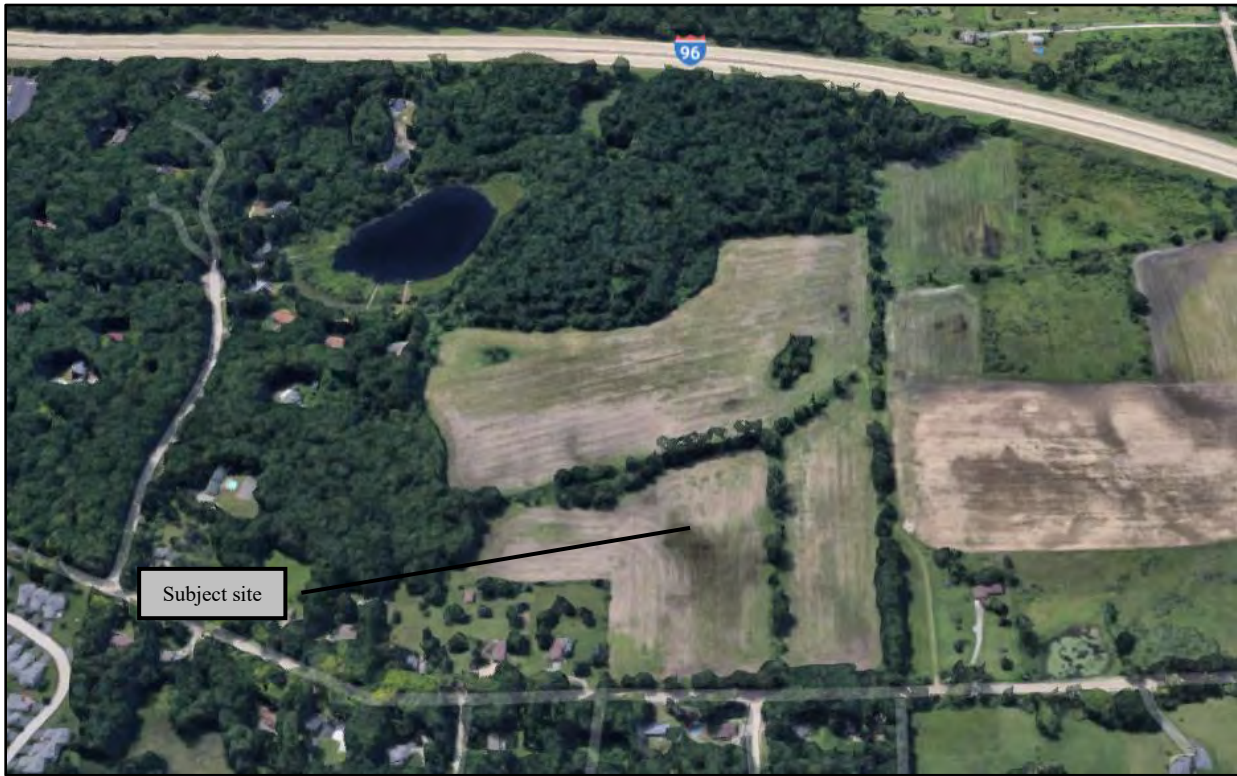
1. The special land use standards of Section 19.03 are generally met, though the current zoning (AG) and future land use (LDR) do not align. Furthermore, we request the applicant provide additional information regarding the frequency of events.
2. Any comments provided by the Township Engineer and/or Brighton Area Fire Authority must be addressed as part of the special land use and site plan review.
3. The revised submittal demonstrates compliance with the use conditions of Section 3.03.02(h).
4. The existing parking spaces, drive aisles, and driveway are surfaced with gravel, though hard surfacing is required by Ordinance. If gravel is allowed to remain in place, the applicant must apply dust control measures (as noted in the revised submittal).
5. An internal drive aisle does not provide sufficient width for two-way travel. It must either be widened to 24’ or signed for one-way travel only.
6. The applicant should confirm that the “curb carts” are sufficient to handle the refuse generated by the number of people anticipated (maximum occupancy of 150 noted).
7. We suggest the applicant be required to clean up equipment stored on the site as part of this project/review process.
8. There are new(er) structures visible on aerial photos that are not depicted on the site plan (pasture areas, a barn, and a pavilion).

**B. Proposal/Process**

The applicant proposes a commercial stable, which is allowed with special land use approval in accordance with Table 3.03 of the Township Zoning Ordinance. The use conditions of Section 3.03.02(h) also apply to the request.

Procedurally, the Planning Commission is to review the special land use, site plan, and Environmental Impact Assessment, and put forth a recommendation on each to the Township Board following a public hearing.





*Aerial view of site and surroundings (looking south)*

### C. Special Land Use Review

Section 19.03 of the Zoning Ordinance identifies the review criteria for Special Land Use applications as follows:

- 1. Master Plan.** The Township Master Plan identifies the subject site as Low Density Residential, which is intended for single-family residential uses on lots with at least 1-acre of area.

In this instance, the current zoning (AG) and Master Plan (LDR) designations do not align. The proposed use of a commercial stable would not be permitted in LDR zoning, though they may be appropriate in areas zoned AG.

As such, the proposed use would not be deemed compatible with the Future Land Use Map; however, this is due mostly to an inconsistency between the Zoning Ordinance and Master Plan than the use itself.

Additionally, the Plan includes a goal to “accommodate a variety of land uses that are located in a logical pattern and complement community goals, the surrounding land uses, environment, capacity of roads and the sanitary sewer, and public water system capabilities.” The proposal appears compatible with this goal.

The case can be made that the proposal is consistent with this overarching goal of the Master Plan. So, while not entirely consistent with the Master Plan, there are certainly elements that can be viewed as compatible.

- 2. Compatibility.** The subject area is sparsely developed with a mix of agricultural and single-family residences. Given the overall size of the subject site and the fact that the proposed use is generally confined to a central portion of the property with large setbacks, we are generally of the opinion that the proposed use will be compatible with the surrounding area.

The revised submittal identifies a variety of uses and occupancies associated with the proposed project. More specifically, the cover sheet of the site plan notes that the site can accommodate a maximum occupancy of 150 people.

Supplemental information notes potential events such as community (12 people) and corporate (50 people) meetings, clubhouse rentals, open houses, and social events.

Aside from the open houses (3 per year), there is no indication as to the anticipated frequency of other events. We request the applicant provide the Commission with additional detail on this aspect of the project.

- 3. Public Facilities and Services.** The subject area is within the Secondary Growth Boundary and, as such, we do not believe the site currently has access to public water or sanitary sewer. Given the nature of the use, we do not believe public utilities are necessary.

With that being said, we defer to the Township Engineer and Brighton Area Fire Authority for any comments they have under this criterion.

- 4. Impacts.** The use conditions of Section 3.03.02(h) are intended to limit impacts of the proposal upon the site and surrounding properties. Provided these conditions are met, surrounding properties are not expected to be adversely impacted by the proposal.
- 5. Mitigation.** If further concerns arise as part of the review process, the Township may require additional efforts to mitigate potential adverse impacts.

#### **D. Use Conditions**

Commercial stables are subject to the use conditions of Section 3.03.02(h), as follows:

- 1. The number of permitted animals shall not exceed the limits in (g)(2) above.**

The Impact Assessment included with the original submitted stated that the site contains 97 acres of land. As such, the Ordinance limit on the number of horses or other equine is 95. The revised submittal notes that 34 horses are kept on site. This standard is met.

- 2. All buildings wherein animals are kept shall not be less than one hundred (100) feet from any occupied dwelling or to any adjacent building used by the public.**

The revised submittal notes that the nearest building is approximately 900 feet from the existing building where the animals are kept. As such, this standard is met.

- 3. When animals are fed hay and oats or other feed outside of a building, the feeding area shall be located not less than one hundred (100) feet from any occupied dwelling or any adjacent building used by the public. Corrals where animals graze only shall not be considered feeding areas.**

Similar to the comments above, this standard is met.

- 4. Stables shall be enclosed by a suitable fence, and shall be maintained so that odor, dust, noise or water drainage impact to adjoining premises shall be minimized in accordance with accepted agricultural management practices.**

The revised submittal notes that “all stables and riding areas are well kept and cleaned regularly.” Additionally, deodorizing and fly sprays are used in the stables.

Photographs included on Sheet 3 identify the existing wood fencing.

Based on the revised submittal, this standard is met

#### **E. Site Plan Review**

- 1. Dimensional Requirements.** The stable/arena building is located well outside of required AG setbacks. Additionally, the revised submittal demonstrates compliance with the maximum building height (35' allowed; 27' provided to the peak).
- 2. Building Materials and Design.** The building is already in place, and the building design and material requirements of Section 12.01 do not apply to this project.
- 3. Parking.** Article 14 of the Township Zoning Ordinance does not provide a specific parking calculation for a commercial stable.

The revised submittal notes a maximum occupancy of 150 people, while the site plan depicts 51 parking spaces. The resulting ratio of 1 space for each 3 people of maximum occupancy is consistent with the requirement for a church or similar place of worship, which seems to be an apt comparison.

The parking spaces, drive aisles, and driveway are surfaced with gravel, though hard surfacing is required by Section 14.06.01.

This section allows the Commission to allow the use of low impact alternatives (permeable/grass pavers are noted) upon recommendation of the Township Engineer. While it is unclear whether gravel was intended by this alternative, the Commission could allow the gravel to remain as an existing condition.

The revised submittal materials note that dust control measures will be applied twice per year.

- 4. Vehicular Circulation.** The driveway connection to Herbst Road and the majority of the internal drive aisles provide sufficient width for two-way traffic; however, there is a drive aisle noted as 21' to 22' in width, while a minimum of 24' is required.

The applicant must either widen this drive aisle, or sign it for one-way travel only.

- 5. Waste Receptacle and Enclosure.** The revised submittal states that "waste collection from the existing building is via curb carts that are pulled to the site entrance on trash day."

The applicant should confirm that the "curb carts" are sufficient to handle the refuse generated by the number of people anticipated (maximum occupancy of 150 noted).

- 6. Landscaping.** The revised submittal materials note existing flowerbeds near the building entrance. The site also contains natural areas that include mature trees that will not be altered. No additional landscaping is proposed as part of this project.
- 7. Exterior Lighting.** The revised submittal materials identify existing wall mounted fixtures on the building, and note that no new lighting is proposed.
- 8. Additional Considerations.** Township staff informed our office that there has been a significant amount of equipment stored on the site.

We suggest the applicant be required to clean up the site as part of this project/review process.

Lastly, there are structure visible on current aerial photos that are not depicted on the site plan. More specifically, there are pasture areas, a barn, and a pavilion that should be added to the site plan.

Should you have any questions concerning this matter, please do not hesitate to contact our office.

Respectfully,

**SAFE BUILT**

A handwritten signature in black ink, appearing to read "B. V. Borden". The signature is stylized and cursive.

Brian V. Borden, AICP

Michigan Planning Manager

September 2, 2021

Mrs. Kelly Van Marter  
Genoa Township  
2911 Dorr Road  
Brighton, MI 48116

**Re: Brighton Equestrian Club  
Site Plan Review No. 2**

Dear Mrs. Van Marter:

Tetra Tech conducted a second review of the Brighton Equestrian Club site plan and application submitted on July 16, 2021. The plans were completed by Greentech Engineering on behalf Brighton Equestrian Club. The development includes 97 acres at 7318 Herbst Road with an existing 7,040 square foot stable and arena building and an additional smaller building to the east of the larger barn. The petitioner is requesting to use their existing building as a commercial barn with events. We offer the following comments:

After reviewing the site and impact assessment we offer the following:

#### **GENERAL NOTES**

1. The proposed use should be approved by the Fire Authority to ensure there is adequate fire protection and site access for hosting 150 people in the existing building. Written approval from the Fire Authority should be provided to the Township.
2. The use must be approved by the building department. Written approval from the Livingston County Building Department should be provided to the Township.
3. The aerial of the property shows a second building at the back of the site to the east, but this building is not shown on the provided site plan. The site plan should depict the current site accurately.
4. The petitioner provided calculations on the size of the existing pond on the site but did not provide any calculations on how the proposed improvements would impact onsite drainage. If additional impervious surface is proposed, onsite detention will be required to handle the additional drainage.

#### **TRAFFIC AND PAVEMENT**

1. Genoa Township Standards require that parking lots be paved with curb and gutter. Storm drainage facilities will also need to be incorporated into the parking lot improvements. The Petitioner does note proposed curb and gutter behind some of the proposed parking, but it is unclear if paving is proposed. The site plan should clearly show paving limits if any are proposed. The Planning Commission may choose to consider an aggregate parking lot as a Low Impact Development Alternative to the zoning requirements.



## SANITARY AND WATER SERVICES


1. Increasing the number of guests in the facility will increase the loading on the existing septic system. Approval by the Livingston County Health Department has been provided to the township via email.

We recommend the petitioner revise the site plan to address the above comments prior to approval. Please call or email if you have any questions.

Sincerely,



Gary J. Markstrom, P.E.  
Vice President



Shelby Byrne  
Project Engineer



# BRIGHTON AREA FIRE AUTHORITY

615 W. Grand River Ave.  
Brighton, MI 48116  
o: 810-229-6640 f: 810-229-1619

August 31, 2021

Kelly VanMarter  
Genoa Township  
2911 Dorr Road  
Brighton, MI 48116

RE: Brighton Equestrian Club - Special Use  
7318 Herbst Road  
Genoa Twp., MI

Dear Kelly:

The Brighton Area Fire Department has reviewed the above-mentioned site plan. The plans were received for review on July 28, 2021 and the drawings are dated July 16, 2021. The project is based on an existing 42,106 square foot, separated mixed-use A-4/B of Type-VB construction. The owner/applicant is seeking a revision of their existing use permit from private use to allow for larger public events to be held at the facility. The plan review is based on the requirements of the International Fire Code (IFC) 2021 edition.

1. Under the previous reviews for occupancy the occupant load of the facility for assembly gatherings is limited to the main clubhouse portion of the structure and shall not take place in the arena.
2. The occupant load is limited to 99 people in the clubhouse if food and drinks are provided as this would constitute a change of use from a B to an A-2 and occupant loads 100 or greater would require automatic sprinklers.
3. The pond is shown to be provided with a dry hydrant as originally requested for the project. The pond shall be provided with a means to maintain its water level if provided as the fire suppression water source. Suction pipe shall be no closer than 2-feet from the bottom and maintained with a minimum of 4-feet of water cover. Provide revised pond volume calculations that account for the minimum cover and depth of suction.
4. The suction pipe shall be a 6-inch diameter PVC pipe and provided with a 6-inch National Hose (NH) female-thread connection and provided with a threaded male cap.
5. The fire flow calculation factor is inaccurate at 1,500 gallons per minute for 2-hours. The fire flow rate should be 3,500 gallons per minute for 3-hours.
6. Two-way emergency vehicle access roads shall be a minimum clear width of 26-feet wide. With a width of 26-feet, one side (building side) of the drive shall be marked as a fire lane. With proposed parking revising, the North drive is reduced in clear width to 24-feet and shall be revised to 26-feet. With parking along the building, the non-building side of the drive shall be maintained as a fire lane.

**IFC D 103.6**  
**IFC D 103.1**  
**IFC D 102.1**  
**IFC D 103.3**



August 31, 2021

Page 2

Brighton Equestrian Club Special Use

7318 Herbst Road

Site Plan Review

Additional comments will be given during the building plan review process (specific to the building plans and occupancy). The applicant is reminded that the fire authority must review the fire protection systems submittals (sprinkler & alarm) prior to permit issuance by the Building Department and that the authority will also review the building plans for life safety requirements in conjunction with the Building Department.

If you have any questions about the comments on this plan review please contact me at 810-229-6640.

Cordially,

A handwritten signature in black ink, appearing to read "R. Boisvert".

Rick Boisvert, FM, CFPS  
Fire Marshal

cc:Amy Ruthig [amy@genoa.org](mailto:amy@genoa.org)

MAY - 1 2019

RECEIVED

Brighton Equestrian Club  
Impact Assessment Statement

a. Name(s) and address(es) of person(s) responsible for preparation of the impact assessment and a brief statement of their qualifications.

**Nancy Merlo, Brighton Equestrian Club, 7318 Herbst Road, Geno Twp.**

b. Map(s) and written description/analysis of the project site including all existing structures, manmade facilities, and natural features. The analysis shall also included information for areas within 10 feet of the property. An aerial photograph or drawing may be used to delineate these areas.

**See Attached.**

c. Impact on natural features: A written description of the environmental characteristics of the site prior to development and following development, i.e., topography, soils, wildlife, woodlands, mature trees (eight-inch caliper or greater), wetlands, drainage, lakes, streams, creeks or ponds. Documentation by a qualified wetland specialist shall be required wherever the Township determines that there is a potential regulated wetland. Reduced copies of the Existing Conditions Map(s) or aerial photographs may accompany written material.

**Brighton Equestrian Club ("BEC") is located on 97 acres of the former Herbst farm on Herbst road adjacent to I-96. Other than the arena facility, the area has remained largely unchanged.**

d. Impact on stormwater management: Description of measures to control soil erosion and sedimentation during grading and construction operations and until a permanent ground cover is established. Recommendations for such measures may be obtained from the Livingston County Drain Commission at (517) 546-0040.

**The facility is existing and is stabilized. No impact on soil erosion ort sedimentation is expected.**

e. Impact on surrounding land used: Description of the types of proposed uses and other man-made facilities, including any project phasing, and an indication of how the proposed use conforms or conflicts with existing and potential development patterns. A description shall be provided of any increases of light, noise or air pollution which could negatively impact adjacent properties.

**The use remains largely agricultural. Occasional events at the arena will bring additional guests. All parking for such events will be contained on the site, and no impact on local traffic or roads is expected.**

f. Impact on public facilities and services: Describe the number of expected residents, employees, visitors, or patrons, and the anticipated impact on public schools, police protection and fire protection. Letters from the appropriate agencies may be provided, as appropriate.

**This facility and its use is not expected to have any impact on schools, police or fire. We expect on average 5-10 employees and 10-20 guests per day. We will occasionally have larger events where up to 150 guests can be expected. Parking for such events will be entirely contained on site. Furthermore,**

**coming and going of guests will be spread out throughout the day causing unnoticeable impact on the surrounding roads.**

g. **Impact on public utilities:** Describe the method to be used to service the development with water and sanitary sewer facilities, the method to be used to control drainage on the site and from the site, including runoff control during periods of construction. For sites serviced with sanitary sewer, calculations for pre- and post development flows shall be provided in comparison with sewer line capacity. Expected sewage rates shall be provided in equivalents to a single family home. Where septic systems are proposed, documentation or permits from the Livingston County Health Department shall be provided.

**The facility is in place and all utilities have been approved and will not change.**

h. **Storage and handling of any hazardous materials:** A description of any hazardous substances expected to be used, stored or disposed of on the site. The information shall describe the type of materials, location within the site and method of containment. Documentation of compliance with federal and state requirements, and a Pollution Incident Prevention Plan (PIPP) shall be submitted, as appropriate.

**No hazardous materials will be stored or handled.**

i. **Impact on Traffic and Pedestrians:** A description of the traffic volumes to be generated based on national reference documents, such as the most recent edition of the Institute of Transportation Engineers Trip Generation Manual, other published studies or actual counts of similar uses in Michigan. A detailed traffic impact study shall be submitted for any site over ten (10) acres in size which would be expected to generate 100 directional vehicle trips (i.e. 100 inbound or 100 outbound trips) during the peak hour of traffic of the generator or on the adjacent streets. The contents of the detailed study shall include:

**Based on review of the Institute of Transportation Engineers Trip Generation Manual and related studies and reports, a detailed traffic impact study is not warranted. Typical days, as noted above, will generate fewer than 30 visitors throughout the course of the day, falling far below the 100 directional trips during the peak hour of traffic. Furthermore, on days where events of up to 150 guests are held, the peak hour of traffic would be fewer than 50 vehicle trips, as the events will be spread out throughout the day.**

j. **Special Provisions:** General description of any deed restrictions, protective covenants, master deed or association bylaws.

**None.**

**From:** [Kelly VanMarter](#)  
**To:** [Amy Ruthig](#)  
**Subject:** FW: Brighton Equestrian Club Summary  
**Date:** Monday, October 28, 2019 12:55:09 PM

---

Can you include this in the Brighton Equestrian File for the next submittal?

Kelly VanMarter, AICP  
Assistant Township Manager/Community Development Director

Genoa Charter Township  
2911 Dorr Road, Brighton, Michigan 48116  
Direct: (810) 588-6900, Phone: (810) 227-5225, Fax: (810) 227-3420  
E-mail: [kelly@genoa.org](mailto:kelly@genoa.org), Url: [www.genoa.org](http://www.genoa.org)

---

**From:** Nancy Merlo [mailto:[nancy@clubbec.com](mailto:nancy@clubbec.com)]  
**Sent:** Wednesday, July 17, 2019 6:37 AM  
**To:** Kelly VanMarter  
**Subject:** Brighton Equestrian Club Summary

Hi Kelley,

My apologies for the delay getting the following information to you; below you will find the list of activities we would like to include at the Brighton Equestrian Club:

### **Horseback Riding Social Events**

Through social events based around horses it is our goal to connect people in similar life circumstance to help make this world a better place. Be it, Grief Groups, Breast Cancer Survivors, Daddy Daughter events, Veterans, Moms or newly Empty-Nesters, there is nothing quite as inspirational, and therapeutic as some time with a horse and engaging conversation. Social events could include a small presentation, time with the horses and light refreshments.

### **Open House**

We host 3 Open House events annually in order to promote our business. Being tucked away from all major roads, we have little to no visibility resulting in no drive-by word-of-mouth marketing potential. There is no charge for an Open House event.

### **Community Meetings - capacity 12**

The conference room comfortably seats up to twelve guests with access to high-speed wireless internet, cable television, large screen display and white board. There is a small charge for the use of this room.

### **Corporate Meetings - capacity 50**

The Brighton Equestrian Club offers team building and leadership exercises with horses for companies looking to increase the effectiveness and productivity of their team. These events can be 1/2 day, full day or even up to two days. We work with local catering companies for breakfast/lunches and light snacks.

### **Artist Promotionals**

The Brighton Equestrian Club provides the perfect backdrop for authors, artists, and photographers to showcase their work. It is our hope that we will be able to support the local art community here in Brighton by providing an elegant space to feature their work.

### **Clubhouse Rental**

On the rare occasion a group is interested in renting our facility for their event, we do charge a fee. We have no control how these organizations choose to market their event. For example, the Brighton Chamber of Commerce hosted a very elegant Derby Luncheon for their Ladies Group and charged for admission. We would like to request that cover charges for admission be allowed for events.

Please let me know if you need anything further.

Nancy Merlo  
President

### **BRIGHTON EQUESTRIAN CLUB**

7318 Herbst Rd.  
Brighton, MI 48114  
[www.ClubBEC.com](http://www.ClubBEC.com)

O. 810.772.7612  
C. 248.866.1142



# CONSTRUCTION PLANS

for

# BRIGHTON EQUESTRIAN CLUB

## 7318 HERBST ROAD

GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN



**SHEET INDEX:**

- 1 COVER SHEET
- 2 EXISTING CONDITIONS PLAN
- 3 SITE PLAN

**ZONING DATA:**

CURRENT ZONING: AG-AGRICULTURAL  
 FUTURE LAND USE: LOW DENSITY RESIDENTIAL

**SPECIAL LAND USE NARRATIVE:**

THIS IS A REQUEST FOR SPECIAL LAND USE OF THE BRIGHTON EQUESTRIAN CLUB WITH CURRENT AG ZONING. THE APPLICANT SEEKS APPROVAL FOR FUTURE LAND USE ZONED AS LDR IN ORDER TO HOST EVENTS THAT CATER TO LARGE AUDIENCES. THE DESIGN OF THE SEPTIC TANK AND DRAIN FIELD CAN ACCOMMODATE A MAXIMUM OCCUPANCY OF 150 PEOPLE. THERE IS ADEQUATE PARKING ON SITE FOR EVENTS AT MAXIMUM CAPACITY.

THE HORSES ON SITE ARE KEPT IN A SEPARATE ADJOINING BUILDING IN FULLY ENCLOSED STABLES WITH 12 FOOT HIGH WALLS AND A CENTRAL SPRAY SYSTEM FOR FLY CONTROL AND ODOR CONTROL MEASURES ELIMINATING ODOR, DUST, NOISE, AND WATER DRAINAGE IMPACTS TO THE ADJACENT BUILDING. THERE ARE NO OCCUPIED DWELLINGS WITHIN 100 FEET OF THE STABLES OR OUTDOOR CORRALS.

THE PRIMARY USE OF THIS SITE REMAINS AS A FACILITY FOR BOARDING AND RIDING HORSES. TYPICAL DAILY OPERATIONS INVOLVE RIDING HORSES THROUGHOUT THE FACILITY, INCLUDING THE ACCESS DRIVE AND PARKING LOT. THE APPLICANT IS REQUESTING A WAIVER FROM ZONING ORDINANCE 14.06.01 REQUIRING PARKING LOTS AND DRIVEWAYS TO BE PAVED ALLOWING THE EXISTING GRAVEL TO REMAIN FOR THE SAFETY OF THE ANIMALS THAT WILL BE WALKING ON IT. A CHLORIDE SPRAY IS APPLIED TWICE A YEAR TO THE GRAVEL DRIVE AS A DUST CONTROL MEASURE TO PREVENT OFFSITE IMPACTS OF DUST DUE TO INCREASED TRAFFIC FROM LARGE EVENTS.

**NOTE:**

THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AS DISCLOSED BY AVAILABLE UTILITY COMPANY RECORDS AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE COMPANY. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES. THE CONTRACTOR SHALL NOTIFY THE DESIGN ENGINEER IMMEDIATELY IF A CONFLICT IS APPARENT.

RESIDENTIAL  
 Subdivisions  
 Single-Family  
 Multi-Family  
 COMMERCIAL  
 Site Planning  
 Site Preparation  
 Industrial  
 Institutional  
 Land Surveying  
 SURVEYING  
 Boundary Surveys  
 Topographic Surveys  
 Construction Staking

**GREENTECH**  
 ENGINEERING, INC.  
 CIVIL ENGINEERS & LAND SURVEYORS  
 51147 Pontiac Trail, Wixom, MI 48393  
 Phone: (248) 668-0700 Fax: (248) 668-0701

CLIENT: BRIGHTON EQUESTRIAN CLUB  
**COVER SHEET**  
 SECTION: 24  
 TOWNSHIP 2 N  
 GENOA TOWNSHIP  
 LIVINGSTON COUNTY  
 MICHIGAN  
 RANGE: 5 E.

REVISED

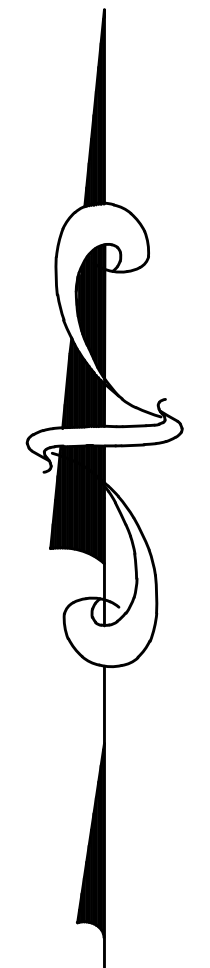


**APPLICANT:**  
 BRIGHTON EQUESTRIAN CLUB  
 7318 HERBST ROAD  
 BRIGHTON, MI 48114  
 PHONE (810) 772-7612  
 CONTACT: NANCY MERLO

**SITE CIVIL:**  
 GREENTECH ENGINEERING, INC.  
 51147 PONTIAC TRAIL  
 WIXOM, MI 48393  
 PHONE (248) 668-0700  
 FAX (248) 668-0701  
 CONTACT: DAN LECLAIR

DATE: 7-16-2021  
 DRAWN BY: RMS  
 CHECKED BY: DJL  
 FBK: --  
 CHG: MM  
 SCALE: HOR 1" = 80 FT.  
 VER 1" = -- FT.





**NOTE:**  
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 Subdivisions  
 Multi-Family  
 COMMERCIAL  
 Site Planning  
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 Land Surveying  
 SURVEYING  
 Boundary Surveys  
 Topographic Surveys  
 Construction Staking

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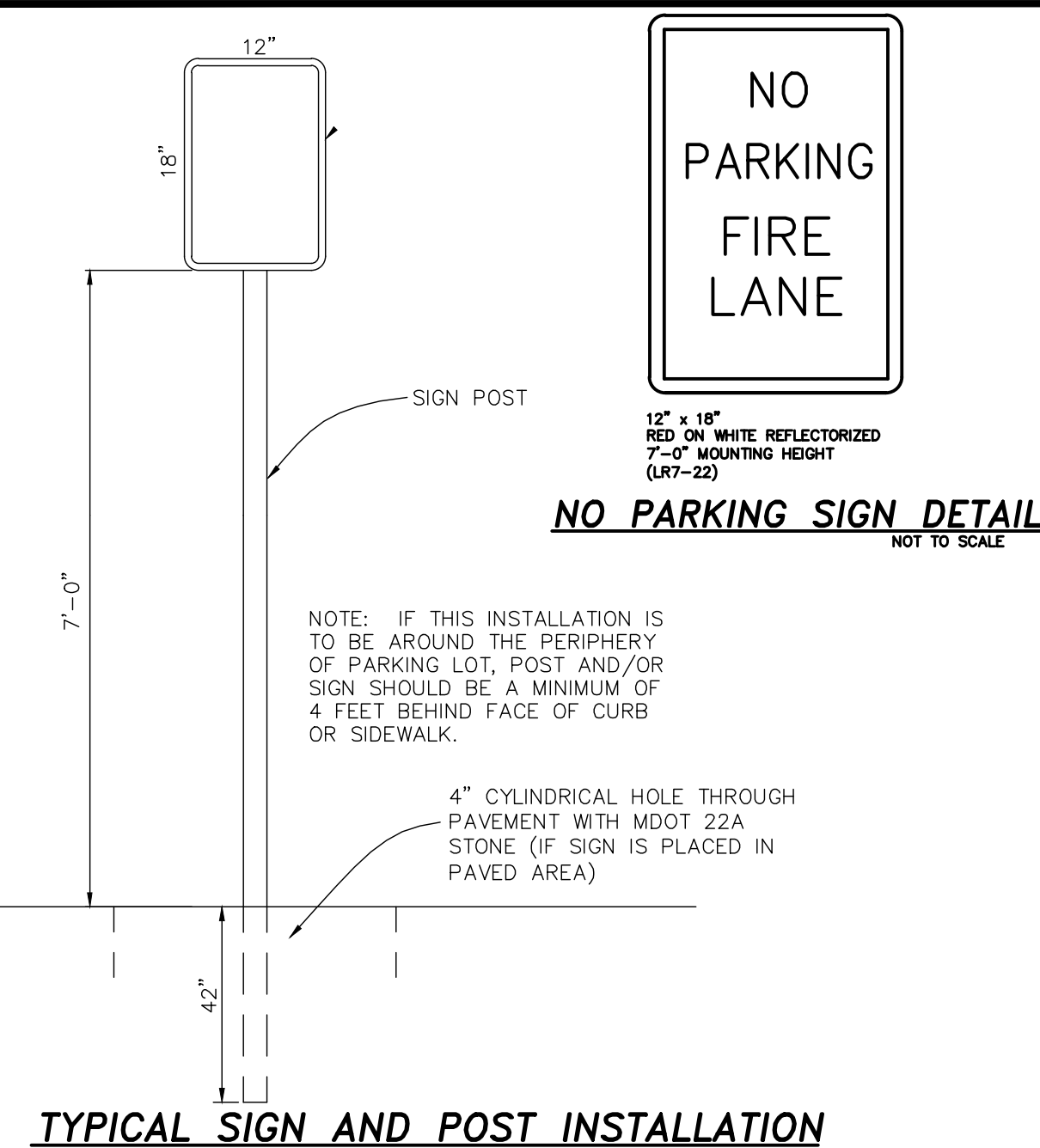


Know what's below  
 Call before you dig.

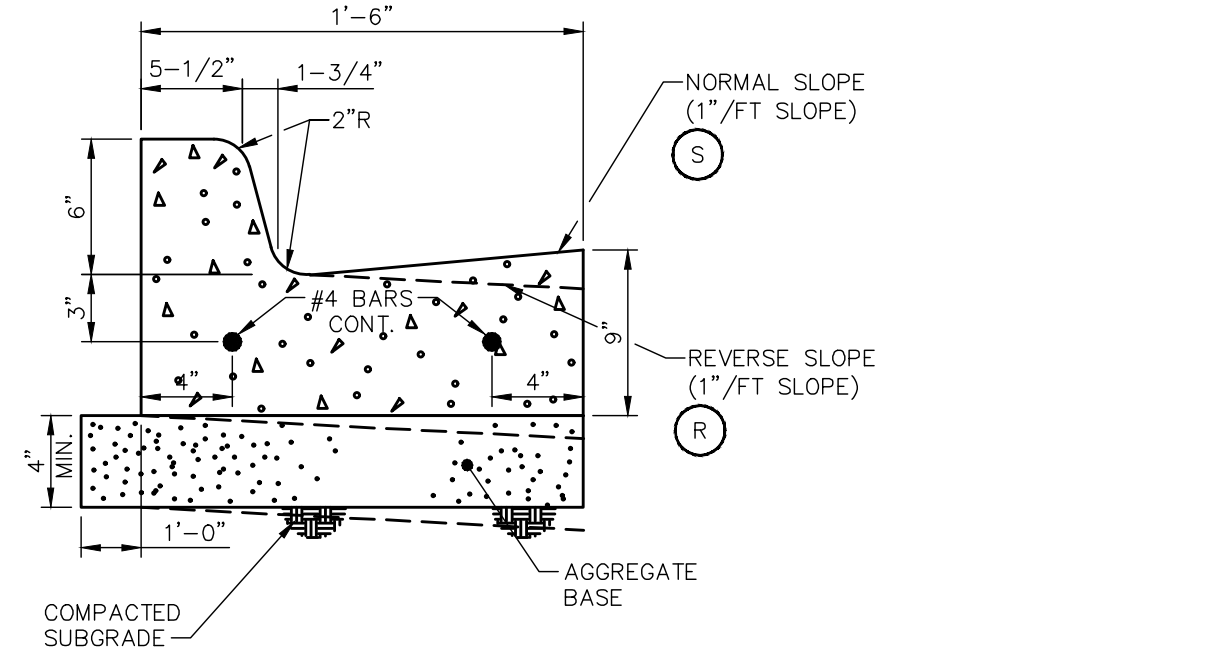
CLIENT: BRIGHTON EQUESTRIAN CLUB	SECTION: 24	TOWNSHIP: 2 N	RANGE: 5 E.
<b>EXISTING CONDITIONS PLAN</b>	7318 HERBST ROAD	GENOA TOWNSHIP	LIVINGSTON COUNTY
		MICHIGAN	

REVISED	
DATE: 7-16-2021	
DRAWN BY: RMS	
CHECKED BY: DJL	
FBK: -	
CHF: MM	
SCALE: HOR 1"= 80 FT. VER 1"= FT.	2
	16-265





- SIGNING & STRIPING NOTES:**
- ALL SIGNS SHALL COMPLY WITH THE LATEST STANDARDS OF THE MICHIGAN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (MMUTCD).
  - SINGLE SIGNS WITH NOMINAL DIMENSIONS OF 12"x18" OR SMALLER SHALL BE MOUNTED ON A GALVANIZED 2 LB. U-CHANNEL POST. MULTIPLE SIGNS AND/OR SIGNS WITH NOMINAL DIMENSIONS GREATER THAN 12"x18" SHALL BE MOUNTED ON A GALVANIZED 3 LB OR GREATER U-CHANNEL POST AS DICTATED BY THE WEIGHT OF THE PROPOSED SIGNS.
  - ALL SIGNS SHALL BE INSTALLED WITH A BOTTOM OF SIGN HEIGHT BEING 7' FROM FINAL GRADE.
  - ALL SIGNING SHALL BE PLACED 2' FROM THE FACE OF THE CURB OR EDGE OF THE NEAREST SIDEWALK TO THE NEAR EDGE OF THE SIGN.
  - TRAFFIC CONTROL SIGNS SHALL USE THE FHWA STANDARD ALPHABET SERIES.
  - TRAFFIC CONTROL SIGNS SHALL HAVE HIGH INTENSITY PRISMATIC (HIP) SHEETING TO MEET FHWA RETROREFLECTIVITY REQUIREMENTS.

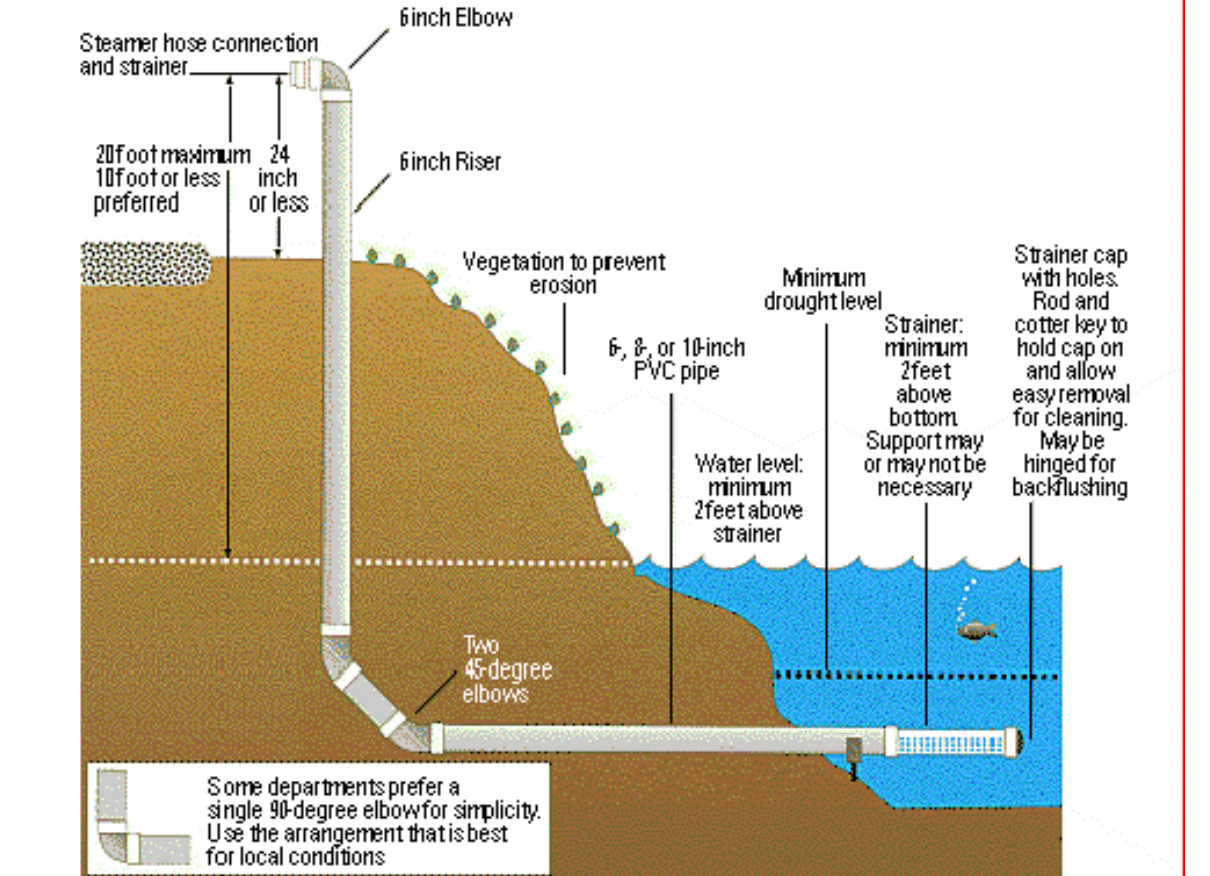


**ACCESS ROAD NOTE:**

ACCESS ROAD AND PARKING LOT WERE LOAD TESTED WITH A SEMI-TRUCK LOADED WITH GRAVEL TOTALING 97,840 LBS. IT WAS OBSERVED THAT THE DRIVING SURFACE WAS STABLE AND CAPABLE OF SUPPORTING A FIRE TRUCK. REFER TO HASTINGS TESTING ENGINEERS AND ENVIRONMENTAL INC. LETTER DATED FEB 5, 2020.

**DRY HYDRANT NOTE:**

DRY HYDRANT ASSEMBLY TO BE INSTALLED PER GENOA TOWNSHIP STANDARDS AND SPECIFICATIONS. A BARREL HYDRANT SHALL BE INSTALLED INSTEAD OF A STEAMER HOSE CONNECTION OR AS DIRECTED BY THE GENOA TOWNSHIP FIRE DEPARTMENT OR ENGINEER.



**FIRE FLOW CALCULATION:**

MINIMUM REQUIRED FLOW: 1,500 GPM FOR 2 HOURS

1,500 GPM X 120 MIN = 180,000 GAL REQUIRED

PROVIDED WATER VOLUME: 33,071 CF = 247,371 GAL AVAILABLE

ELEVATION	AREA	AVG. AREA	HEIGHT	VOLUME	CUM. VOLUME
944	1,454	1,811	1.0	1,811	1,811
945	2,167	2,586	1.0	2,586	4,396
946	3,004	3,483	1.0	3,483	7,879
947	3,961	4,497	1.0	4,497	12,376
948	5,033	5,626	1.0	5,626	18,002
949	6,219	6,864	1.0	6,864	24,866
950	7,509	8,205	1.0	8,205	33,071
951	8,901				

**NOTE:**

THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AS DISCLOSED BY AVAILABLE UTILITY COMPANY RECORDS AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE COMPANY. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES. THE CONTRACTOR SHALL NOTIFY THE DESIGN ENGINEER IMMEDIATELY IF A CONFLICT IS APPARENT.

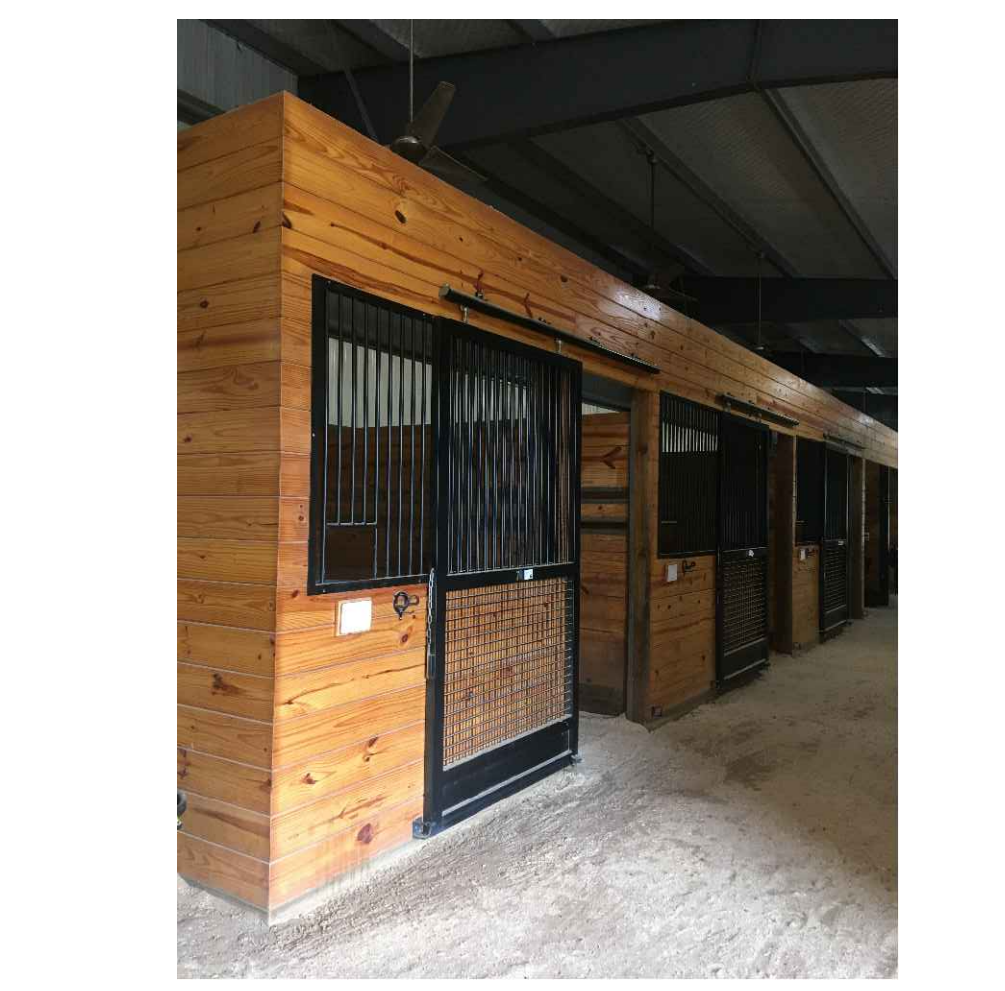


**LIGHTING NOTE:**

NO ADDITIONAL LIGHTING IS PROPOSED.

**LANDSCAPING NOTE:**

NO ADDITIONAL LANDSCAPING IS PROPOSED.



**HORSE STABLE:**

HORSE STABLES ARE FULLY ENCLOSED WITH 12 FT HIGH WALLS AND SLIDING GATE.

**MAXIMUM ALLOWABLE OCCUPANCY:**

EXISTING SEPTIC TANK SIZE: 1500 GAL  
EXISTING DRAIN-FIELD SIZE: 2000 SF

SEPTIC TANK:  
SEWAGE FLOW: 5 GAL/SEAT  
1500 GAL / 5 GAL/SEAT = 300 SEATS

DRAIN FIELD:  
SOIL TYPES IN DRAIN-FIELD: FINE SAND/LOAMY SAND  
MAX ACCEPTABLE APPLICATION RATE: 0.50 GAL/SF  
2000 SF X 0.5 GAL/SF X 0.75 SAFETY FACTOR = 750 GAL  
750 GAL / 5 GAL/SEAT = 150 SEATS

MAXIMUM ALLOWABLE OCCUPANCY = 150 PEOPLE

**PARKING DATA:**

PROPOSED PARKING REQUIRED:

ONE (1) SPACE FOR EACH THREE (3) PERSONS  
MAXIMUM OCCUPANCY = 150 PEOPLE  
1 SPACE X 150 PEOPLE / 3 = 50 SPACES REQUIRED

TOTAL PARKING REQUIRED: 50 SPACES, 2 BARRIER-FREE  
TOTAL PARKING PROVIDED: 51 SPACES, 2 BARRIER-FREE

**GENERAL NOTES:**

- THERE ARE 34 HORSES KEPT ON SITE.
- THE BUILDING IS 27 FEET AT THE HIGHEST POINT.
- REFUSE IS HAND CARTED TO THE STREET FOR PICKUP USING A MAXIMUM OF 4 CURB CARTS. MANURE IS SPREAD ACCORDING TO M.D.A.R.D.
- THERE ARE NO OCCUPIED DWELLINGS ON THIS SITE.
- A CHLORIDE SPRAY IS USED ON GRAVEL TWICE A YEAR FOR DUST CONTROL.
- DEODORIZING SPRAY SYSTEM AND FLY SPRAY ARE USED IN THE HORSE STABLE AREA AND DISPERSED BY FAN THROUGHOUT THE STABLES.

RESIDENTIAL  
Subdivisions  
Single-Family  
Multi-Family

COMMERCIAL  
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**SITE PLAN**

7318 HERBST ROAD  
TOWNSHIP 2 N  
GENOA TOWNSHIP  
LIVINGSTON COUNTY  
MICHIGAN

SECTION: 24

RANGE: 5 E.

REVISED

DATE: 7-16-2021

DRAWN BY: RMS

CHECKED BY: DJL

FBK: -

CHF: MM

SCALE: HOR 1"=80 FT.  
VER 1"=

**3**

16-265





## GENOA CHARTER TOWNSHIP APPLICATION Planned Unit Development (PUD)

APPLICANT NAME: Net Lease Associates South, LLC and Net Lease Associates North, LLC

APPLICANT EMAIL: jonsawyer@icloud.com

APPLICANT ADDRESS & PHONE: P.O. Box 5467, Saginaw, MI 48605 . ( 989 ) 245-6973

OWNER'S NAME: See attached authorization

OWNER ADDRESS & PHONE: See attached . ( )

TAX CODE(S): 4711-08-100-009 and 4711-05-303-015

### QUALIFYING CONDITIONS (To be filled out by applicant)

1. A PUD zoning classification may be initiated only by a petition.
2. It is desired and requested that the foregoing property be rezoned to the following type of PUD designation:
  - Residential Planned Unit Development (RPUD)
  - X Planned Industrial District (PID)
  - Mixed Use Planned Unit Development (MUPUD)
  - Redevelopment Planned Unit Development (RDPUD)
  - Non-residential Planned Unit Development (NRPUD)
  - Town Center Planned Unit Development (TCPUD)
3. The planned unit development site shall be under the control of one owner or group of owners and shall be capable of being planned and developed as one integral unit.

EXPLAIN The applicants identified above are affiliated entities with the same member  
owning 100% membership in each company.

4. The site shall have a minimum area of twenty (20) acres of contiguous land, provided such minimum may be reduced by the Township Board as follows:
  - A. The minimum area requirement may be reduced to five (5) acres for sites served by both public water and public sewer.
  - B. The minimum lot area may be waived for sites zoned for commercial use (NSD, GCD or RCD) where the site is occupied by a nonconforming commercial, office or industrial building, all buildings on such site are proposed to be removed and a new use permitted within the underlying zoning district is to be established. The Township Board shall only permit the PUD on the smaller site where it finds that the flexibility in dimensional standards is necessary to allow for innovative design in redeveloping the site and an existing blighted situation will be eliminated. A parallel plan shall be provided showing how the site could be redeveloped without the use of the PUD to allow the Planning Commission to evaluate whether the modifications to dimensional standards are the

minimum necessary to allow redevelopment of the site, while still meeting the spirit and intent of the ordinance.

- C. The PUD site plan shall provide one or more of the following benefits not possible under the standards of another zoning district, as determined by the Planning Commission:
- preservation of significant natural or historic features
  - a complementary mixture of uses or a variety of housing types
  - common open space for passive or active recreational use
  - mitigation to offset impacts
  - redevelopment of a nonconforming site where creative design can address unique site constraints.
- D. The site shall be served by public sewer and water. The Township may approve a residential PUD that is not served by public sewer or water, provided all lots shall be at least one (1) acre in area and the requirements of the County Health Department shall be met.

Size of property is Approximately 16.2 acres.

DESCRIBE BELOW HOW THE REQUESTED PUD DESIGNATION COMPLIES WITH AFOREMENTIONED MINIMUM LOT SIZE REQUIREMENTS.

See Attachment.

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**STANDARDS FOR REZONING TO PLANNED UNIT DEVELOPMENT (RESPOND HERE OR WITHIN THE IMPACT STATEMENT)**

1. How would the PUD be consistent with the goals, policies and future land use map of the Genoa Township Master Plan, including any subarea or corridor studies. If conditions have changed since the Master Plan was adopted, the consistency with recent development trends in the area;

See Attachment for 1-4.

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2. The compatibility of all the potential uses in the PUD with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values;

See Attachment for 1-4.

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3. The capacity of infrastructure and services sufficient to accommodate the uses permitted in the requested district without compromising the "health, safety and welfare" of the Township;

See Attachment for 1-4.

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4. The apparent demand for the types of uses permitted in the PUD;

See Attachment for 1-4.

**AFFIDAVIT**

The undersigned says that they are the Applicant/Purchaser (owner, lessee, or other specified interest) involved in this petition and that the foregoing answers and statements herein contained and the information herewith submitted are in all respects true and correct to the best of his/her knowledge and belief.

BY: 

ADDRESS: P.O. Box 5467, Saginaw, MI 48605

*Contact Information - Review Letters and Correspondence shall be forwarded to the following:*

Abby H. Cooper of Attorney for Applicant at abby@crlaw.biz  
*Name Business Affiliation E-mail*

**FEE EXCEEDANCE AGREEMENT**

As stated on the site plan review fee schedule, all site plans are allocated two (2) consultant reviews and one (1) Planning Commission meeting. If additional reviews or meetings are necessary, the applicant will be required to pay the actual incurred costs for the additional reviews. If applicable, additional review fee payment will be required concurrent with submittal to the Township Board. By signing below, applicant indicates agreement and full understanding of this policy.

PROJECT NAME: Toddiem/Victory Drive PID

PROJECT LOCATON & DESCRIPTION: Asphalt Manufacturing Plant and Storage on approx. 16.2 acres  
located on the NE & SE corner of Toddiem Dr & Victory Dr currently operating as Advance Metal Alloys.

SIGNATURE: 

DATE: August 31, 2021

PRINT NAME: Don Sawyer

PHONE: 989-245-6973

COMPANY NAME & ADDRESS: Net Lease Associates South, LLC & Net Lease Associates North, LLC



**GENOA CHARTER TOWNSHIP**  
**Application for Re-Zoning**

Net Lease Associates North, LLC, AND

APPLICANT NAME: Net Lease Associates South, LLC ADDRESS: P.O. Box 5467 Saginaw, 48603

OWNER NAME: See attached authorization ADDRESS: See attached

PARCEL #(s): 4711-08-100-009 and 4711-05-303-015 PRIMARY PHONE: 989-245-6973

EMAIL 1: jonsawyer@icloud.com EMAIL 2: \_\_\_\_\_

We, the undersigned, do hereby respectfully make application to and petition the Township Board to amend the Township Zoning Ordinance and change the zoning map of the township of Genoa as hereinafter requested, and in support of this application, the following facts are shown:

**A. REQUIRED SUBMITTAL INFORMATION**

1. A legal description and street address of the subject property, together with a map identifying the subject property in relation to surrounding properties;
2. The name, signature and address of the owner of the subject property, a statement of the applicant's interest in the subject property if not the owner in fee simple title, and proof of consent from the property owner;
3. It is desired and requested that the foregoing property be rezoned from:

Industrial to Planned Unit Development (PID)

4. A site plan illustrating existing conditions on the site and adjacent properties; such as woodlands, wetlands, soil conditions, steep slope, drainage patterns, views, existing buildings, sight distance limitations, relationship to other developed sites. and access points in the vicinity;
5. A conceptual plan demonstrating that the site could be developed with representative uses permitted in the requested zoning district meeting requirements for setbacks, wetland buffers access spacing, any requested service drives and other site design factors;
6. A written environmental impact assessment, a map of existing site features as described in Article 18 describing site features and anticipated impacts created by the host of uses permitted in the requested zoning district;
7. A written description of how the requested rezoning meets Sec. 22.04 "Criteria for Amendment of the Official Zoning Map."
8. The property in question shall be staked prior to the Planning Commission Public Hearing.

**B. DESCRIBE HOW YOUR REQUESTED RE-ZONING MEETS THE ZONING ORDINANCE CRITERIA FOR AMENDING THE OFFICIAL ZONING MAP:**

1. How is the rezoning consistent with the goals, policies and future land use map of the Genoa Township Master Plan, including any subareas or corridor studies. If not consistent, describe how conditions have changed since the Master Plan was adopted?

See Attachment for 1-8.

2. Are the site's physical, geological, hydrological and other environmental features suitable for the host of uses permitted in the proposed zoning district?

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**See Attachment for 1-8.**

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3. Do you have any evidence that a reasonable return on investment cannot be received by developing the property with one (1) of the uses permitted under the current zoning?

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**See Attachment for 1-8.**

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4. How would all the potential uses allowed in the proposed zoning district be compatible with surrounding uses and zoning in terms of views, noise, air quality, the environment, density, traffic impacts, drainage and potential influence on property values?

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**See Attachment for 1-8.**

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5. Are infrastructure capacity (streets, sanitary sewer, water, and drainage) and services (police and fire protection, etc.) sufficient to accommodate the uses permitted in the requested district?

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**See Attachment for 1-8.**

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6. Is there a demonstrated demand in Genoa Township or the surrounding area for the types of uses permitted in the requested zoning district? If yes, explain how this site is better suited for the zoning than others which may be planned or zoned to accommodate the demand.

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**See Attachment for 1-8.**

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7. If you have a particular use in mind, is another zoning district more appropriate? Why should the Township re-zone the land rather than amend the list of uses allowed in another zoning district to accommodate your intended use?

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**See Attachment for 1-8.**

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8. Describe any deed restrictions which could potentially affect the use of the property.

See Attachment for 1-8.

**C. AFFIDAVIT**

The undersigned says that they are the Applicant/Purchaser (owner, lessee, or other specified interest) involved in this petition and that the foregoing answers and statements herein contained and the information herewith submitted are in all respects true and correct to the best of his/her knowledge and belief.

BY: Net Lease Associates South, LLC & Net Lease Associates North, LLC

ADDRESS: P.O. Box 5467, Saginaw, MI 48603

  
SIGNATURE

The following contact should also receive review letters and correspondence:

Name: Abby H. Cooper Email: abby@crlaw.biz

Business Affiliation: Attorney for Applicant

**FEE EXCEEDANCE AGREEMENT**

As stated on the site plan review fee schedule, all site plans are allocated two (2) consultant reviews and one (1) Planning Commission meeting. If additional reviews or meetings are necessary, the applicant will be required to pay the actual incurred costs for the additional reviews. If applicable, additional review fee payment will be required concurrent with submittal to the Township Board. By signing below, applicant indicates agreement and full understanding of this policy.

PROJECT NAME: Toddiem/Victory Drive PID

PROJECT LOCATON & DESCRIPTION: Asphalt Manufacturing Plant and Storage on approx. 16.2 acres located on the NE & SE corner of Toddiem Dr & Victory Dr currently operating as Advance Metal Alloys.

SIGNATURE:  DATE: August 31, 2021

PRINT NAME: Jon Sawyer PHONE: 989-245-6973

COMPANY NAME & ADDRESS: Net Lease Associates South, LLC & Net Lease Associates North, LLC



ATTACHMENT TO RE-ZONING APPLICATION, AUGUST 31, 2021

**TODDIEM/VICTORY DRIVE PID**

4711-08-100-009 & 4711-05-303-015

**B. DESCRIBE HOW YOUR REQUESTED RE-ZONING MEETS THE ZONING ORDINANCE CRITERIA FOR AMENDING THE OFFICIAL ZONING MAP:**

1. How is the rezoning consistent with the goals, policies and future land use map of the Genoa Township Master Plan, including any subareas or corridor studies. If not consistent, describe how conditions have changed since the Master Plan was adopted?

**The rezoning request to PID is entirely consistent with the Master Plan. The subject property is currently zoned Industrial and the applicant is seeking a rezoning to PUD for a Planned Industrial Park (PID), which is an overlay district of the Industrial District and includes supplementary standards which apply simultaneously, or replace, standards of the underlying district. Section 10.01.02 explains the purpose of the PID overlay is to provide a “design option to permit flexibility in the regulation of land development;...promote efficient provision of public services and utilities; minimize traffic impacts; and to encourage the use and improvement of existing sites.”**

**The Future Land Use Map is consistent with the current zoning and likewise identifies the subject property as intended for an “Industrial” use. When a rezoning request is made the Township is directed to reference the “growth boundary” articulated in the Master Plan. Master Plan Executive Summary, p. 2. A “primary growth area” is identified as the area within the Grand River/I-96 corridor and “industrial parks” that are served or available to be served by public sewer and water with adequate buffers from other land uses. Master Plan Executive Summary, pp. 2-3. See also Master Plan, p 5-10.**

**The subject property is located squarely in the middle of the largest industrial area identified on the Future Land Use Map, surrounding Victory Drive and Grand Oaks Drive, north of the railroad tracks and I-96. The Master Plan indicates this area comprises 200 acres of the 351 acres of developed industrial land in the Township. Master Plan, p. 4-3. No residential uses or planned uses are anywhere nearby on the existing or future land use map.**

**The Master Plan outlines the importance of infrastructure and public water to service industrial land uses. Master Plan, p. 5-1. The PUD/PID proposal would not only add these improvements for the subject property, but also for industrial owners in this corridor. See outline of benefits in answer to #5, below.**

2. Are the site’s physical, geological, hydrological and other environmental features suitable for the host of uses permitted in the proposed zoning district?

**Yes, the site is suitable with the added public infrastructure and site improvements proposed by the applicant. See answer to #5, below.**

3. Do you have any evidence that a reasonable return on investment cannot be received by developing the property with one (1) of the uses permitted under the current zoning?

**The proposed rezoning to PID is an overlay to the current Industrial Zoning. The overlay includes supplementary standards which apply simultaneously, or replace, standards of the underlying district. The overlay is intended to give both the developer and the Township flexibility of design subject to plan approval of the Planning Commission and Township Board. Zoning Ordinance, sect. 10.01.03.**

4. How would all the potential uses allowed in the proposed zoning district be compatible with surrounding uses and zoning in terms of views, noise, air quality, the environment, density, traffic impacts, drainage and potential influence on property values?

**The site and all surrounding property is zoned Industrial, with any current uses being industrial and industrial use identified for the entire area on the Future Land Use Map. The PUD/PID is an overlay district to the Industrial District allowing the same uses. With the approval of the Rezoning and PUD plan, the subject property will be greatly improved as far as access to public water, drainage, and traffic. No adverse noise or air quality impacts will be experienced by neighbors. The applicant shall be utilizing a state of the art new facility with an advanced air filtration system which meets and exceeds applicable air quality and safety standards. Moreover, this type of use is highly regulated by EGLE including frequent oversight and reporting.**

5. Are infrastructure capacity (streets, sanitary sewer, water, and drainage) and services (police and fire protection, etc.) sufficient to accommodate the uses permitted in the requested district?

**Approval of the applicant's requests for Rezoning, PUD/PID, and Site Plan, will significantly improve the infrastructure and services utilized by the site and the surrounding industrial neighbors. Currently, the subject property is serviced by a sanitary sewer and a private well. Toddiem Drive is essentially a two-track, unimproved road. The south parcel is currently used as a scrap metal yard, with no storm water management system, and the north parcel is used for outside trailer storage.**

**As part of its PUD/PID proposal, the applicant is planning to add the following improvements to the subject property and the surrounding industrial area:**

- a. Construction and paving of Toddiem Drive per LCRC standards resulting in an improved road between Victory Drive and Grand Oaks Drive for public use and emergency vehicles (currently no link exists between these roads).**

- b. Construction of a storm water management system per LCDC standards (the south site currently does not have any storm water management).**
- c. Extension of municipal water system to the site (existing site is on a private well as well as many other surrounding industrial properties).**
- d. Elimination of outdoor storage of scrap metal (current use of the south parcel).**
- e. Elimination of onsite trailer storage (current use of the north parcel).**

6. Is there a demonstrated demand in Genoa Township or the surrounding area for the types of uses permitted in the requested zoning district? If yes, explain how this site is better suited for the zoning than others which may be planned or zoned to accommodate the demand.

**The subject property is planned for this exact use both under the current Zoning Ordinance and in the Master Plan. See answers to #1, #7. There is demand for an asphalt plant in Livingston County, specifically, because the area continues to grow rapidly. MDOT, county road commissions, other governmental agencies, industrial owners, commercial owners, and residential owners all need asphalt. Trucking asphalt in from other counties adds unnecessary cost and delay. It is expensive to move from far away locations and it takes time. Livingston County Road Commission in particular could benefit from the availability and cost savings of having high quality, ready to use asphalt in its own back yard. There is one known asphalt plant in the area on the eastern border of Livingston County off of Kensington Road. Competition can likewise drive down prices.**

7. If you have a particular use in mind, is another zoning district more appropriate? Why should the Township re-zone the land rather than amend the list of uses allowed in another zoning district to accommodate your intended use?

**As an overlay to the Industrial zoning classification, the PID permits uses that are also permitted in the Industrial District. Zoning Ordinance, sect. 10.03. The current proposed use is allowed in the Industrial District. Table 8.02 provides the following is a permitted use with special approval: *“Cement and concrete product or ready-mix operations requiring elevator storage tanks, conveyors and batching equipment and asphalt batch plant, asphalt mixing, batching or paving plants.”***

8. Describe any deed restrictions which could potentially affect the use of the property.

**The applicant is currently in the process of obtaining and reviewing title commitments for the subject property.**



**GENOA CHARTER TOWNSHIP**  
**Application for Site Plan Review**

**TO THE GENOA TOWNSHIP PLANNING COMMISSION AND TOWNSHIP BOARD:**

APPLICANT NAME & ADDRESS: Net Lease Associates South, LLC & Net Lease Associates North, LLC  
*If applicant is not the owner, a letter of Authorization from Property Owner is needed.*

OWNER'S NAME & ADDRESS: See attached authorization

SITE ADDRESS: 3080 Toddiem Dr. and VL Victory Drive PARCEL #(s) 4711-08-100-009 and 4711-05-303-015

APPLICANT PHONE: ( 989 ) 245-6973 OWNER PHONE: ( See attached )

OWNER EMAIL: advancemetal@earthlink.net

LOCATION AND BRIEF DESCRIPTION OF SITE: Approximately 16.2 acres located on the NE & SE corner of Toddiem Drive and Victory Drive currently operating as Advance Metal Alloys (metal scrap yard).

BRIEF STATEMENT OF PROPOSED USE: Asphalt manufacturing plant and storage for governmental, commercial, and residential end users.

THE FOLLOWING BUILDINGS ARE PROPOSED: Continued use of existing building, plus additional plant improvements as noted on the conceptual site plan, attached (i.e. storage tanks, scale house, bag house, material feed hopper, and drum mixer).

**I HEREBY CERTIFY THAT ALL INFORMATION AND DATA ATTACHED TO AND MADE PART OF THIS APPLICATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.**

BY: 


ADDRESS: P.O. Box 5467 Saginaw, MI 48603

**Contact Information** - Review Letters and Correspondence shall be forwarded to the following:

1. Abby H. Cooper of Attorney for Applicant at abby@crlaw.biz  
Name Business Affiliation E-mail Address

**FEE EXCEEDANCE AGREEMENT**

As stated on the site plan review fee schedule, all site plans are allocated two (2) consultant reviews and one (1) Planning Commission meeting. If additional reviews or meetings are necessary, the applicant will be required to pay the actual incurred costs for the additional reviews. If applicable, additional review fee payment will be required concurrent with submittal to the Township Board. By signing below, applicant indicates agreement and full understanding of this policy.

SIGNATURE:  DATE: August 31, 2021  
PRINT NAME: Jon Sawyer PHONE: 989-245-6973  
ADDRESS: P.O. Box 5467 Saginaw, MI 48603

October 5, 2021

Planning Commission  
Genoa Township  
2911 Dorr Road  
Brighton, Michigan 48116

<b>Attention:</b>	Kelly Van Marter, AICP Planning Director and Assistant Township Manager
<b>Subject:</b>	Toddiem-Victory Drive PID – PID Review #2
<b>Location:</b>	Southerly terminus of Victory Drive, at the intersection with Toddiem Drive
<b>Zoning:</b>	IND Industrial District

Dear Commissioners:

At the Township’s request, we have reviewed the proposed rezoning, conceptual site plan (most recently dated 9/21/21), draft PUD Agreement and associated Impact Assessment (dated September 1, 2021).

The 16.2-acre site is comprised of 2 parcels separated by Toddiem Drive, and currently contains a 15,040 square foot industrial building (that is to remain). The site and surrounding properties are zoned IND.

We have reviewed the proposal in accordance with the applicable provisions of the Genoa Township Zoning Ordinance.

**A. Summary**

1. The proposal generally meets the Planned Unit Development (PUD) qualifying conditions, provided the following are addressed:
  - a. the Township authorizes a reduction in the conventional lot area requirement;
  - b. the applicant extends public water to serve the site; and
  - c. the applicant addresses any concerns raised by the Township Engineer, Utilities Director or Fire Authority.
2. Rezoning to the PID overlay is consistent with the Master Plan and Future Land Use Map, and generally meets the rezoning criteria for a PUD.
3. The applicant seeks deviations via the PUD for building/structure height and materials, as well as from use requirements related to roadway access for an asphalt plant, and size of storage tanks for fuel.
4. If approval is granted, the applicant will need to apply for review and approval of special land uses and a final PID site plan. A PIP Plan will also be required.
5. The parking calculations note that 23 spaces are provided, though the plan depicts only 19.
6. The final site plan submittal must include a full lighting plan.
7. There are discrepancies between the landscape plan and planting table with respect to quantities.
8. We suggest the Township require tree protection fencing around the dripline of areas to be protected during construction activities.
9. The applicant requests deviations from Buffer Zone “B” requirements in multiple locations due to existing site conditions (existing wooded areas, adjacency to a railroad, and significant topographic changes).
10. The applicant must address any concerns raised by the Township Engineer, Utilities Director or Brighton Area Fire Department.



*Aerial view of site and surroundings (looking north)*

## **B. Proposal**

The applicant requests establishment of a Planned Industrial Development (PID) for the subject site. The proposal is for a new asphalt production plant, including multiple buildings and structures, as well as outdoor storage of materials. As previously noted, the existing 15,040 square foot building on the south side of Toddiem Drive will remain.

## **C. Process**

The review and approval process is outlined below. The applicant is at Step 1 in the process.

1. The Township Planning Commission makes a recommendation to the Township Board on the rezoning (PID overlay), conceptual PUD plan, draft PUD Agreement and Environmental Impact Assessment following a public hearing.
2. The County Planning Commission reviews the rezoning and provides comments for consideration by the Township Board.
3. The Township Board acts on the rezoning, conceptual PUD plan, PUD Agreement and Impact Assessment.

## **D. PUD Qualifying Conditions**

Section 10.02 identifies the following qualification requirements for all planned unit developments, including the PID overlay:

1. **Single Ownership.** The material submitted states that the site will be owned by affiliated entities under the same ownership – Net Lease Associates South, LLC and Net Lease Associates North, LLC.
2. **Initiated by Petition.** The request has been properly initiated by the submittal of applications for rezoning, PUD qualification, and Site Plan Review.
3. **Minimum Site Area.** The minimum lot area to qualify for a PUD is 20 acres; however, the Township Board may reduce this standard for sites served by both public water and sanitary sewer.

The 16.2-acre subject site is served by public sanitary sewer, and the project includes an extension of public water. As such, the Township may allow establishment of a PUD on this site.

4. **Benefits.** The PUD site plan shall provide one or more of the following benefits not possible under the standards of conventional zoning, as determined by the Planning Commission:

- preservation of significant natural or historic features;
- a complementary mixture of uses or a variety of housing types;
- common open space for passive or active recreational use;
- mitigation to offset impacts; or,
- redevelopment of a nonconforming site where creative design can address unique site constraints.

As outlined in the application materials, as part of this project the applicant will:

- construct and pave Toddiem Drive to County standards, which will provide an actual roadway connection between Victory Drive and Grand Oaks Drive;
- construct necessary stormwater improvements, per County standards;
- extend municipal water to the subject site; and
- clean the site of outdoor scrap metal and trailer storage.

5. **Sewer and Water.** As noted above, the project includes extension of public water to the subject site.

It is our understanding the site already has access to public sanitary sewer; however, we defer to the Township Engineer for any technical comments under this criterion.

6. **Rezoning Standards.**

a. **How is the rezoning consistent with the goals, policies and future land use map of the Genoa Township Master Plan, including any subareas or corridor studies. If not consistent, describe how conditions have changed since the Master Plan was adopted.**

The Master Plan identifies the site and surrounding area as Industrial. The subject site is also within a Primary Growth Area of the Township's Growth Boundary given its access to infrastructure.

The PID overlay allows the same uses as the IND and OSD, and use of the PID allows the Township and applicant to negotiate a PUD Agreement with specific uses included (or excluded), as well as design considerations (on and off site) to help mitigate any potential impacts.

Furthermore, the infrastructure improvements proposed as part of this PID (roadway construction/connection, and water extension) are consistent with the growth boundary and development goals.

b. **The compatibility of all the potential uses in the PUD with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of uses, traffic impacts, aesthetics, infrastructure, and potential influence on property values.**

The subject site and surrounding properties are currently zoned IND. Use of the PID overlay keeps these uses in place (and also allows OSD uses) for the subject site. As such, the current host of allowable uses versus those allowed upon PID rezoning (if granted) are essentially the same; thus, we find them compatible.

The specific proposal is for an asphalt plant, which is allowed as a special land use in the IND.

If PID rezoning is granted, and the concept plan is approved, the applicant may apply for special land use and final site plan review of the project.



At that time, the special land use standards of Section 19.03, and the use requirements of Section 8.02.02(a) (asphalt plant) and 13.07 (storage of fuel/hazardous substances) will be applied to ensure compatibility of the use.

Based on a cursory review of these requirements, Section 8.02.02(a) requires that outdoor storage meet setback requirements, a Buffer Zone “B” be provided along all lot lines (including the road frontages), and all means of access be from a County Primary roadway with at least 86 feet of right-of-way. The roadway standard is not met, though the applicant requests to deviate from this requirement via the PUD.

Additionally, Section 13.07 provides size limits on fuel/hazardous materials storage, requires a Pollution Incident Prevention (PIP) plan, and requires permits from all applicable outside agencies.

The submittal notes that a PIP plan will be provided with final site plan submittal, while the revised submittal requests to deviate from the allowable size for above ground storage tanks.

**c. The capacity of infrastructure and services sufficient to accommodate the uses permitted in the requested district without compromising the “health, safety, and welfare” of the Township.**

As previously noted, the site has access to public sanitary sewer, while an extension is proposed to bring public water to the site.

The project also includes improvement to Toddiem Drive, such that a roadway up to County standards will now connect Victory Drive and Grand Oaks Drive, which are two of the primary roadways in the area designated for industrial uses.

Any concerns noted by the Township Engineer, Utilities Director or the Brighton Area Fire Authority under this criterion must be addressed.

**d. The apparent demand for the types of uses permitted in the PUD.**

The submittal materials identify a need for this use within the County due to continued growth, and the need for infrastructure improvements. The materials note only one known existing asphalt plant elsewhere in the County.

Furthermore, the materials describe the increased costs and time associated with trucking asphalt in from outside of the area.

**E. Conceptual PUD Site Plan Review**

**1. PID Standards:**

**a. Dimensional standards.** Use of the PID overlay requires compliance with the minimum dimensional standards of the IND.

The site data table on the conceptual PUD plan demonstrates compliance with these standards, including setbacks and lot coverage (both by buildings and impervious surfaces).

The only item in need of consideration for a dimensional deviation via this PID is the maximum building height. The IND allows buildings and structures up to 30 feet in height; however, the draft PUD Agreement seeks to allow buildings and structures up to a height of 86 feet.

**b. Lot areas.** The PID overlay requires lots of not less than 2 acres in area for future development. The two parcels that comprise the subject site both exceed this standard.

While not anticipated at this time, the applicant should be aware that any future division of land shall result in lots of not less than 2 acres in area.

**c. Design standards.** The conceptual PUD plan includes a landscape plan depicting new trees along Toddiem Drive, and within the property itself.

By Ordinance, buildings are to be comprised primarily of masonry materials with a 25% limitation on metal paneling and plain CMU.

The draft PUD Agreement requests deviations from the building material standards for the existing building and proposed asphalt plant buildings and structures.

- 2. Vehicular Circulation.** Existing vehicular access is provided via Victory Drive and unimproved Toddiem Drive. As previously noted, the project includes improving this roadway to County standards.

The conceptual site plan depicts two access points to the north and south sides via improved Toddiem Drive.

The main driveways and internal drive aisles meet or exceed dimensional standards (24' wide minimum).

The applicant must address any concerns/comments raised by the Township Engineer or Brighton Area Fire Authority.

- 3. Parking.** The conceptual site plan includes 19 parking spaces, though the parking calculations provided note the need for 23.

The parking spaces are double striped, and drive aisles and parking spaces will all be paved, per Ordinance requirements; however, we are unable to locate the 4 additional spaces noted.

- 4. Lighting.** The submittal does not include any details regarding exterior site lighting.

If approval is granted, the applicant must provide a detailed lighting plan, including all of the information required by Section 12.03, as part of the final site plan submittal.

- 5. Landscaping.** The submittal includes a landscape plan (Sheet LA). The plan includes street trees along Toddiem Drive, buffer zone plantings, and detention pond landscaping.

Aside from the evergreen trees, the plan and planting table do not match in terms of quantities. The applicant must correct these discrepancies.

Additionally, there are a number of mature trees and wooded areas that will be protected and preserved as part of the project. We suggest the Township require tree protection fencing around the dripline of areas to be protected during construction activities. (The applicant has indicated they will depict tree protection fencing on the construction drawings.)

Lastly, the use requirements for asphalt plants require a Buffer Zone "B" along all property lines, including road frontages.

The landscape plan provides for a Buffer Zone "B" along the road frontages and the east side of the northerly parcel.


The applicant requests deviations in the following locations:

- The north side of the northerly parcel due to the presence of an existing wooded wetland;
  - The west side of the southerly parcel due to an existing wooded area adjacent to a stormwater easement;
  - The south side of the southerly parcel due to its location along a railroad with significant topographic changes; and
  - The east side of the southerly parcel due to an existing wooded area with significant topographic changes.
6. **Signage.** Any future signage will be subject to review and approval in accordance with the current provisions of Article 16 of the Township Zoning Ordinance.
7. **Impact Assessment.** The submittal includes an Impact Assessment (dated September 2, 2021).

In summary, the Assessment notes that the project is not anticipated to adversely impact natural features, public services/utilities, surrounding land uses, or traffic.

Should you have any questions concerning this matter, please do not hesitate to contact our office.

Respectfully,  
SAFEBUILT

  
Brian V. Borden, AICP  
Michigan Planning Manager

October 6, 2021

Mrs. Kelly Van Marter  
Genoa Township  
2911 Dorr Road  
Brighton, MI 48116

**Re: Capital Asphalt PID Rezoning  
Conceptual Site Plan Review No. 2**

Dear Mrs. Van Marter:

Tetra Tech conducted a second review of the proposed Capital Asphalt PID Rezoning site plan last dated September 21, 2021. The plans were completed by Desine Inc. on behalf of Net Lease Associates North, LLC and Net Lease Associates South, LLC. The existing site is on the end of Victory Drive and includes an existing 15,040 square foot building and is used as a metal scrap yard. The Petitioner is proposing to rezone the two parcels on the south and east side of the Victory Drive cul-de-sac from industrial to Planned Industrial District (PID). The Petitioner is proposing to improve the southernmost parcel as an asphalt manufacturing plant. The proposed improvements will include the construction and paving of Toddiem Drive, extension of municipal water and sanitary sewer to the site, onsite storm sewer and detention, and parking improvements.

After reviewing the site and impact assessment we offer the following:

**GENERAL**

1. The final site plan submittal should include more detail such as dimensioning of drives and parking, detention basin details, and curb and gutter. Additional detail will also need to be provided for the improvements to Toddiem Drive.
2. The proposed improvements will need to be approved by the Brighton Area Fire Authority. This approval should be obtained and provided to the Township prior to site plan approval.
3. A soil erosion and sedimentation control plan should be submitted as required by Genoa Township Engineering Design Standards for sites with more than one acre of disturbance.
4. A traffic plan should be submitted with the final site plan as required by Genoa Township Zoning Ordinance. The traffic plan will need to show access to the site and detail the projected amount of truck traffic.

**DRAINAGE AND GRADING**

1. The Livingston County Drain Commissioner will need to review and approve the proposed storm plan, as the proposed detention basin will outlet to their system. This approval should be provided to the Township prior to site plan approval.

**UTILITIES**

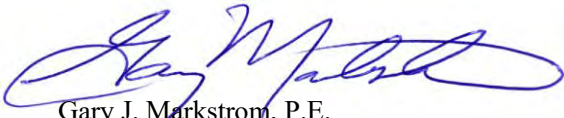
1. The Petitioner is proposing to connect to the existing water main on Grand Oaks Drive. We suggest the water main be looped to the main north of the site in Victory Drive. The size of the pipe to Grand Oaks as well as to Victory Drive should be discussed with MHOG to confirm it matches the Authority's Master Plan for utilities

in this area. The Petitioner should provide information on their expected water uses to better understand the water improvements needed for the site.

2. After site plan approval, water main and sanitary sewer construction plans must be submitted to MHOG for their review and approval, along with permitting through EGLE. The construction plans will need to include more detail on the proposed connections and include plan and profile.
3. It is possible that the Petitioner will be required to pay connection fees to connect to municipal water and sanitary sewer prior to obtaining a land use permit. This fee would be determined using Genoa Township's REU Table.

We recommend the petitioner revise the site plan to address the above comments prior to approval. Please call or email if you have any questions.

Sincerely,



Gary J. Markstrom, P.E.  
Vice President



Shelby Byrne  
Project Engineer



# BRIGHTON AREA FIRE AUTHORITY

615 W. Grand River Ave.  
Brighton, MI 48116  
o: 810-229-6640 f: 810-229-1619

October 5, 2021

Kelly VanMarter  
Genoa Township  
2911 Dorr Road  
Brighton, MI 48116

RE: Capital Asphalt PID Rezoning - Conceptual  
Toddiem-Victory Drive PID  
3080 Toddiem Dr.  
Genoa Twp., MI

Dear Kelly:

The Brighton Area Fire Department has reviewed the above-mentioned site plan. The plans were received for review on September 23, 2021 and the drawings are dated September 21, 2021 with latest revisions dated September 21, 2021. The project is based on a proposed PID to redevelop an existing parcel from a metal recycling facility as well as an adjacent vacant parcel to a new asphalt plant and materials yard. The site consists of an existing 15,040 square foot building that will be repurposed for the new operation. The plan review is based on the requirements of the International Fire Code (IFC) 2021 edition.

**All previously stated requirements or concerns have been addressed by the applicant. Based on the recently submitted drawings, the Fire Authority has no additional comments related to the proposed project.**

Additional comments will be given during the building plan review process (specific to the building plans and occupancy). The applicant is reminded that the fire authority must review the fire protection systems submittals (sprinkler & alarm) prior to permit issuance by the Building Department and that the authority will also review the building plans for life safety requirements in conjunction with the Building Department.

If you have any questions about the comments on this plan review please contact me at 810-229-6640.

Cordially,

A handwritten signature in black ink, appearing to read "R. Boisvert".

Rick Boisvert, CFPS  
Fire Marshal

cc: Amy Ruthig [amy@genoa.org](mailto:amy@genoa.org)

**TODDIEM-VICTORY DRIVE PID  
Genoa Township, Michigan  
PID Plan Application**

**IMPACT ASSESSMENT**

**Owner:**

Net Lease Associates North, LLC  
and Net Lease Associates South, LLC  
3888 South Canal Road  
Lansing, Michigan

**Prepared by:**

DESINE INC.  
2183 Pless Drive  
Brighton, Michigan 48114

**A. INTRODUCTION**

This impact assessment has been prepared pursuant to Article 18 – SITE PLAN REVIEW of the Zoning Ordinance for the Township of Genoa, Livingston County, Michigan. This assessment addresses the impact of the proposed industrial development on the surrounding community and the economic condition and social environment of the Township.

This Impact Assessment has been prepared under the direction of Wayne Perry, P.E., DESINE INC., 2183 Pless Drive, Brighton, Michigan 48114. Mr. Perry is a licensed Civil Engineer, providing professional engineering services in Livingston County since 1988 with experience in private and municipal development including projects within Genoa Township and Livingston County.

**B. SITE LOCATION / DESCRIPTION**

The development property is comprised of two parcels, containing a total of 16.20 acres. The Southerly parcel, containing 11.0 acres of land, is bordered on the North by Toddiem Drive, the railroad along the Southwest, and vacant industrial property to the East and West. The Northerly parcel, containing 5.20 acres, described as Lot 15 of the Grand Oaks West Industrial Park, is bordered on the West by Victory Drive and on the South by Toddiem Drive, as shown on Figure 1. All adjacent property surrounding the two parcels is zoned Industrial.

The Southerly parcel currently contains an existing building and related site improvements. The Existing Conditions Plan provides a detailed overview of the existing site features.

The Toddiem-Victory Drive PID development plan depicts proposed site improvements to be constructed on the site. Proposed improvements consist of a hot mix asphalt production plant, material loading bins, conveyor systems, a drum type mixer, a dust control and collection system, liquid asphalt binder storage tanks, product storage silos and truck loading and weight measuring systems.

Material stockpiles will be maintained on the property containing various aggregate, recycled asphalt and sand materials meeting the specifications required to produce hot mix bituminous products.

Additionally, the plan includes parking areas, access drives, a storm water management system, lighting, landscaping and related site improvements.

Access to the property, currently from Victory Drive, will be improved as a part of the development plan for the property. Toddiem Drive, between Victory Drive and Grand Oaks Drive, will be improved as a paved road, open ditch cross-section, connecting Victory Drive to Grand Oaks Drive. Truck access to the site will be from Latson Road, West on Grand Oaks Drive, to Toddiem Drive. A Transportation access plan has been prepared to identify the truck access route for the property.

A plan depicting the proposed site improvements is provided in Figure 2.



### **C. IMPACT ON NATURAL FEATURES**

Natural features on the development property consist of re-established woods and shrub/scrub brush. Existing topography of the site is generally sloping, the South parcel slopes from East to West, and the North parcel slopes from South to North. Elevation of the property varies from an elevation of 970 at the Easterly property line, to approximately 948 along the West and North parcel limits. Surface water drainage on the property generally flows to the West and North.

Existing soils on the property are primarily Miami loam, with small areas of Conover Loam and Fox-Boyer Complex near the boundaries. An area of Tawas Muck is present in the North half of the Norther parcel. The loam soils are generally moderately drained and moderately permeable. Soil classifications are prepared by the United States Department of Agriculture, Soil Conservation Service, and "Soil Survey of Livingston County". The Soils Map, shown in Figure 3, shows the locations of specific soil types as classified.

The proposed construction and improvements will require earthwork including excavation and grading on the Southerly parcel, and filling on the North parcel. Grading for this project will maintain the general character of the existing site. Development of this project will require earthwork to construct the proposed detention basin and modify site grades with useable materials from the site, and is not anticipated to require the import or export of soil. The proposed elevations and grading of the site mesh with the existing grades at the property lines.

Surface drainage characteristics on the property will be affected by the construction of the proposed improvements and paved surfaces. Construction of the improvements will reduce the permeable area of the property resulting in an increase in the surface water runoff generated. A storm water management system has been designed to collect and control the surface water runoff, reducing the discharge rate from the developed portion of the property to the agronomic rate and allowing for the infiltration of surface water runoff generated.

The proposed changes and modifications to the surface drainage conditions will not significantly impact local aquifer characteristics or groundwater recharge capacity. All surface water runoff from the site will be directed into the proposed detention basin. Reduction in the surface permeability will affect onsite infiltration, surface water flow path and duration. Surface water runoff from the development will be controlled and no significant impact to adjacent properties are anticipated from the proposed re-development of the site.

Upland wildlife habitats on the property are minimal and consist of primarily of the re-established wooded and shrub/scrub brush areas. Wildlife supported in these areas are generally smaller field animals and birds. Existing industrial use of the property, adjacent existing industrial uses limits the existing upland habitat.

The project site does not currently support any significant wildlife habitat and the proposed construction will not have a significant impact on overall habitat quality. No significant adverse impact to natural features is anticipated due to the proposed re-development of this

property.

**D. IMPACT ON STORM WATER MANAGEMENT**

Excavation and grading proposed on the property to construct the proposed stormwater detention basin. Earthwork will be required to direct storm water flow into the storm water collection system. This system will discharge surface water runoff generated by development of the property to the proposed sedimentation basin and detention basin. Site grading will mesh with existing grades on adjoining properties. No adverse impact to adjoining properties is anticipated due to the construction and grading of the property.

Soil erosion and sedimentation are controlled by the Soil Erosion Control Act No. 347 of the Public Acts of 1972, as amended and is administered by the Livingston County Drain Commissioner. Silt fencing will be installed around a majority of the site during construction. The Contractor shall comply with all regulations including control during and after construction.

Impact on adjoining properties due to the construction of this site will be minimized by implementing soil erosion control methods. No adverse impact to adjacent properties due to surface water runoff will be created as a result of the proposed improvements.

**E. IMPACT ON SURROUNDING LAND USES**

Surrounding land uses consist of industrial uses and vacant property. The Genoa Township Future Land Use Plan designates this property as Industrial. The proposed use depicted on the development plan is consistent with existing development in the area and is consistent with the long-term planning within the Township.

Existing ambient noise levels on and around the property are largely generated by vehicle traffic on adjacent roads and activities associated with the existing use of the site as a scrap metal recycling facility.

Noise from the proposed hot mix asphalt plant will be generated from a number of sources including burner and blower systems, exhaust fans, drum mixer drive systems, cold feed bin vibrators as well as truck and loader operations. All new production plants are equipped with internal blowers and sound dampening systems to minimize the noise produced by the facility. The proposed plant and operations will conform to the requirements of Section 13.05.06 of the Genoa Township Zoning Ordinance.

All site lighting shall meet the requirements of the Zoning Ordinance. Proposed building mounted fixtures and pole mounted site lighting will be shielded and down directed on the site. General site lighting, excluding safety and emergency lighting, shall be energized between the times from dusk to 10:00 p.m. and from 5:00 a.m. to dawn.

The hot mix asphalt production process requires drying of the aggregate materials resulting in the exhausting of water vapor and typical combustion byproducts from the natural gas burners during the drying process. The proposed use of the property does not create any significant emissions of smoke, airborne solids, odors, gases, vibrations or glare discernable and substantially annoying or injurious to person and/or property beyond the

lot lines.

Truck access routes and materials stockpile areas on the property will be paved to control dust created during normal operations. The Contractor shall be responsible for initiating and maintaining adequate dust control measures during and after construction until the project site is fully stabilized and a vegetative cover established. Dust control measures used during construction may consist of site watering, mulching of completed areas, installation of windbreak fencing, and application of chemical dust control materials. The site will comply with the performance standards contained in Section 13.05 of the Township Zoning Ordinance.

**F. IMPACT ON PUBLIC FACILITIES AND SERVICES**

The Livingston County Sheriff and Michigan State Police will provide Police protection. Public safety services required to accommodate the proposed use are anticipated to be minor.

The Brighton Area Fire Department, as a part of an existing governmental agreement, will provide fire protection service. Two fire hydrants will be constructed on the property with additional hydrants constructed within the Toddiem Drive Right-of-way to provide adequate fire protection capabilities. A Knox box and required address labeling meeting the Fire Departments requirements will be installed. No significant increase in fire protection services are anticipated as a result of the proposed use.

The property is accessed from Grand Oaks Drive and Victory Drive, providing adequate access for emergency vehicles.

The proposed uses will not create any direct adverse impact on the public schools.

**G. IMPACT ON PUBLIC UTILITIES**

The property is not presently within municipal water and/or sewer districts. Existing building is serviced by an onsite well and septic tank / disposal field.

Water service to the site is proposed to be provided from a new water main extension from Grand Oaks Drive to the property, and through the property to provide service to hydrants. A water service lead will be constructed. An easement for repair, maintenance and access are provided for this connecting water main. Capacity is available within the existing water system to provide adequate service to this site.

The site is currently serviced by electric, gas, phone and cable systems located Grand Oaks Drive and Victory Drive.

All solid wastes will be properly disposed of through a licensed disposal firm on a regular basis. A dumpster enclosure will be located on the West side of the existing building.

Large vehicles accessing the site will be capable of maneuvering on the proposed access drives around the building and for loading and unloading purposes.

**H. STORAGE AND HANDLING OF ANY HAZARDOUS MATERIALS**

The proposed use of the site will require storage of liquid asphalt binder, liquid asphalt emulsion products and diesel fuel. All liquid asphalt materials used in the production of plant mix bituminous products will be stored within a secondary containment enclosure.

A Pollution Incident Prevention plan (PIPP) for the proposed use is being prepared and will be provided with the final PID plan for review and approval.

**I. TRAFFIC IMPACT STUDY**

The proposed re-development of the property is not anticipated to meet the conditions requiring a Traffic Impact Study, generating less than 50 directional trips during peak hours and less than 750 trips in an average day. A traffic impact study for the development has not been prepared.

No significant adverse impact on traffic in the area is anticipated as a result of developing the proposed project.

**J. HISTORIC AND CULTURAL RESOURCES**

The existing building on the property does not have any major historic significance on a local, regional or state level.

**K. SPECIAL PROVISIONS**

No special provisions or requirements are currently proposed for this facility.



**FIGURE 2**

**PHOTO DEPICTING SITE IMPROVEMENTS**  
**NOT TO SCALE**





**FIGURE 3**  
**SOILS MAP**  
**(NOT TO SCALE)**



Map Unit Symbol	Map Unit Name
BtB	Boyer-Oshitemo loamy sands, 2 to 6 percent slopes
BtC	Boyer-Oshitemo loamy sands, 6 to 12 percent slopes
BtE	Boyer-Oshitemo loamy sands, 18 to 25 percent slopes
BwA	Bronson loamy sand, 0 to 2 percent slopes
CvA	Conover loam, 0 to 2 percent slopes
FrB	Fox-Boyer complex, 2 to 6 percent slopes
FrC	Fox-Boyer complex, 6 to 12 percent slopes
FrD	Fox-Boyer complex, 12 to 18 percent slopes
FrE	Fox-Boyer complex, 18 to 25 percent slopes
Ho	Houghton muck
MoB	Miami loam, 2 to 6 percent slopes
W	Water

This PUD Agreement has comments from K. VanMarter and the Township Attorney that you are asked to consider in your motion if approved.

**PLANNED UNIT DEVELOPMENT AGREEMENT  
TODDIEM/VICTORY DRIVE PID**

This Agreement for the Toddiem/Victory Planned Unit Development (“Agreement”) is by and between 10-20 Investments & Leasing, Inc. (“10-20 Investments”), a Michigan corporation as authorized by its shareholder, Net Lease Associates South, LLC (“Net Lease South”), Net Lease Associates North, LLC (“Net Lease North,” and collectively with 10-20 Investments, “Developer”), a Michigan limited liability companies whose address is P.O. Box 5467, Saginaw, MI 48605, E & B Property Holdings, LLC (“E & B Holdings”), a Michigan limited liability company whose address is 3056 E. Coon Lake Road and Genoa Charter Township (“Township”), a Michigan municipal corporation, whose address is 2911 Dorr Road, Brighton, MI 48116.

**RECITALS**

WHEREAS, 10-20 Investments owns real property located in the Charter Township of Genoa, County of Livingston, State of Michigan, more particularly described on Exhibit A attached hereto as “Toddiem,” and, by virtue of closing on a shareholder purchase agreement with its prior shareholder Bruce Hundley, at the time of this Agreement now has as its only shareholder Net Lease South. Net Lease North holds a vendee’s land contract interest and E & B Holdings holds a vendor’s land contract interest in real property located in the Charter Township of Genoa, County of Livingston, State of Michigan, and more particularly described on Exhibit A attached hereto as “Victory.” Toddiem and Victory shall herein be referred to as the “Property.”

WHEREAS Toddiem is an 11 acre parcel that is currently the site of a scrap metal yard and Victory is an 5.2 acre parcel that is currently vacant. Developer intends to develop the Property as a Planned Unit Development in accordance with Article 10 of the Township Zoning Ordinance for use as an asphalt plant and storage of materials.

WHEREAS, Developer has submitted to the Township a request for rezoning of the Property to Planned Industrial District (“PID”), an application for PUD, and an application for Site Plan, including all conceptual submittal items set forth in Section 10.05 of the Township Zoning Ordinance, including, but not limited to, proof of ownership of the Property and owner authorization; completed applications and application fee; an impact assessment meeting the requirements of Article 18 of the Township Zoning Ordinance, a copy of which is attached hereto as Exhibit B (“Impact Assessment”); this Agreement; drawings of at least 24" x 36", containing a Cover Sheet, Existing Conditions and Demolition Plan, Site Plan, Grading and Paving Plan, Utility Plan, Watershed Plan & Storm Water Management System Calculations, Landscape Plan, Site Development Notes and Details, Transportation Plan, Stationary Plant 500 TPH Layout, Floor Plan, and Exterior Elevations, a copy of which drawings are attached to this Agreement as Exhibit C (“PID Plan”).



WHEREAS, the Charter Township of Genoa Planning Commission ("GPC") has reviewed the request for rezoning and the PID Plan, conducted a public hearing on \_\_\_\_\_, and recommended approval of the Conceptual PID Site Plan to the Charter Township of Genoa Board of Trustees ("Township Board") and Livingston County Planning Commission ("LCPC") on \_\_\_\_\_.

WHEREAS, on \_\_\_\_\_, the LCPC conducted a public hearing on the requested Conceptual PUD Site Plan, and recommended approval to the Township Board on \_\_\_\_\_.

WHEREAS, Developer made revisions to \_\_\_\_\_, and submitted revised copies of \_\_\_\_\_ to the Township.

WHEREAS, the Township Board conducted a public hearing on the PUD rezoning, PUD Plan and PUD Agreement on \_\_\_\_\_, and provided conceptual approval of these documents pursuant to Section 10.04.01 of the Township Zoning Ordinance on \_\_\_\_\_.

WHEREAS, Developer has submitted to the Township all Final PUD Site Plan submittal items set forth in Section 10.06 of the Township Zoning Ordinance, including, but not limited to, the PUD Plan containing all materials required by Article 18 of the Township Zoning Ordinance; an Impact Statement; \_\_\_\_\_, a final copy of this Agreement (collectively the "Final Plan"), and all required fees.

WHEREAS, the GPC and Township Board actions set forth above have been taken in compliance with the Township Zoning Ordinance and with the Michigan Zoning Enabling Act, 110 PA of 2006, and have rezoned the Property to PUD/PID, finding that such classification properly achieved the purposes of Article 10 of the Township's Zoning Ordinance, including the encouragement of innovation in land use, compatibility with adjacent uses, the promotion of efficient provision of public services and utilities, the reduction of adverse traffic impacts, and the provision of adequate employment. Further, the GPC and Township Board find the PID, the PID Plan, and this Agreement are consistent with the adopted Master Plan.

WHEREAS, the Township Board has found and concluded that the uses and future development plans and conditions shown on the approved PID Plan and as set forth herein are reasonable and promote the public health, safety and welfare of the Township, and that they are consistent with the plans and objectives of the Township and consistent with surrounding uses of land for reasons including, but not limited to, the following:

- a. The proposed use set forth in the PID Plan is permitted as a special land use within the underlying zoning Industrial Zoning District;
- b. The Township has determined that flexibility in dimensional standards is necessary to allow for innovative design in redeveloping a site and where a clear public benefit is being derived in the form of extension of public water to the Toddiem/Victory Drive areas and west of Grand Oaks Drive and the creation of a connection from Grand Oaks Drive to Victory Drive by way of Toddiem Drive that is improved to Livingston County Road Commission ("LCRC") standards, among other benefits as set forth below;
- c. To encourage flexibility and creativity consistent with the intent of the PUD, the Township is permitting specific departures from the requirements of the Township Zoning Ordinance as a part of the approval process;

- d. For all deviations, the Township has found that the deviation shall result in a higher quality of development than would be possible using conventional zoning standards;
- e. The permitted deviations are consistent with the intent of the Township's PUD ordinance.

NOW, THEREFORE, the parties identified above, in consideration of the mutual promises contained in the Agreement, HEREBY AGREE AS FOLLOWS:

**SECTION 1.**  
**GENERAL TERMS OF AGREEMENT**

- A. The parties acknowledge and represent that the recitations set forth above are true, accurate and binding on the respective parties.
- B. The Township acknowledges and represents that the zoning of the Property as PUD/PID, regulated by the PID Plan and this Agreement may be relied upon for future land use and development of the Property by Owner, its successors, assigns and transferees. This Agreement is for the benefit of the Property, and shall run with the Property, and shall bind and inure to the benefit of the successors, assigns and transferees of the parties to this Agreement.
- C. The PID Plan, attached as Exhibit C, has been approved by the Township in accordance with its authority granted by the Genoa Charter Township Zoning Ordinance, and The Michigan Zoning Enabling Act, subject to the terms of this Agreement.
- D. Deviations from the Township Zoning Ordinance shall be permitted as set forth in this Agreement or the PUD Plan, or as otherwise be agreed upon by the Township and Developer. Changes to the PID Plan and/or PUD Agreement shall be processed as set forth in the Zoning Ordinance and this Agreement.
- E. All improvements constructed in accordance with this Agreement and the PID Plan shall be deemed to be conforming under the Township Zoning Ordinance and in compliance with all other ordinances of the Township.
- F. The approval of the PID Plan shall be subject to the conditions set forth herein, inclusive of Exhibits.
- G. All site features, such as walkways, signs, lighting and landscaping, will be maintained by Developer.
- H. The construction, improvement and maintenance of all streets and necessary utilities (including public water, wastewater collection and treatment) to mitigate the impacts of the PID project through construction shall be performed by Developer.

**SECTION 2.**  
**LAND USE AUTHORIZATION**

- A. In addition to the uses set forth in the PID Plan, uses listed in the Industrial zoning classification of the Township Zoning Ordinance shall be allowed subject to the applicable permitted or special land use regulations.
- B. The PID Plan identifies the location and configuration of the currently-proposed structures that may be developed on the Property.
- C. Developer shall determine the timing of development in compliance with the Charter Township of Genoa Code of Ordinances.

**SECTION 3.**  
**TRANSPORATION IMPROVEMENTS AND UTILITIES**

- A. Construction and paving of Toddiem Drive per LCRC standards resulting in an improved road between with open ditch cross-section connecting Victory Drive to Grand Oaks Drive for public use and emergency vehicles.

- B. One of the means of access to the Property (Toddiem Drive) shall be permitted to be from a road having a right-of-way of 66 feet.
- C. The internal system of private roads or drives shall be as identified on the PUD Plan. Interior drives shall provide circulation around the building. Stacking or queuing depth at site access points shall be sufficient to accommodate expected peak hour volumes to minimize conflict with inbound or internal circulation.
- D. Developer will extend public water to the Property and connect the Development to the public water system from Grand Oaks Drive as set forth on the PID Plans. The Township represents the public water system is able to be extended to the Property as proposed by Developer ~~through existing easements~~ and there is sufficient capacity in the water system to service the Development.
- E. Two fire hydrants will be constructed on the Property and a Knox box provided.

This number should be verified.

**SECTION 4.**  
**DRAINAGE**

- A. The Development shall install a storm water management system per Livingston County Drainage Commission standards as set forth in the PID Plan.

**SECTION 5.**  
**SITE IMPROVEMENTS**

- A. Owner shall cease the outdoor storage of scrap metal currently occurring on the Property.
- B. There shall be a coordination of site improvements within the overall Property, with the objective of creating site improvements that are integrated and mutually supportive among the respective components of the Development, including the utilities, landscaping and lighting, as more specifically set forth in the PID Plan.
- C. Buffer Zone B shall be provided along the road frontage of the Toddiem parcel, the road frontage of the Victory parcel, and the east side of the Victory parcel. Waivers from this requirement have been approved on the remaining sides of the two parcels as follows:
  1. North side of the Victory parcel due to existing wooded wetland along this side of the parcel.
  2. West side of the Toddiem parcel due to an existing wooded buffer adjacent to the public storm water easement in Grand Oaks West Industrial Park.
  3. South side of the Toddiem parcel which is adjacent to the railroad and the is grade approximately 15 feet higher than the site.
  4. East side of the Toddiem parcel which is wooded and the grade is approximately 6 feet higher than the site.
- D. Township shall grant to Developer and its contractors and subcontractors all Township permits and authorizations necessary to bring and/or construct all utilities necessary to service the Property and to otherwise develop and improve the Property in accordance with the PID Plan, provided the Developer has complied with any and all legally-applicable requirements for such permits and authorizations, including paying any required fees. Any applications for permits or authorizations from the Township shall be processed by the Township in the customary manner.
- E. All trees and woodlands will be preserved as shown on the PID Plan, or replaced on a caliper-for-caliper basis, as more fully set forth in the PID Plan.

and granting any necessary easements

**SECTION 6.**  
**DIMENSIONAL AND DESIGN STANDARDS**

meet



- A. All buildings, structures, accessory structures, and parking ~~meets~~ the minimum set back standards of the Industrial District as shown in the PID Plan.
- B. The maximum building height shall be permitted to be 86 feet instead of a maximum height of 30 feet or two stories otherwise required by the Township Zoning Ordinance.
- C. Design standards requiring high quality architecture including a maximum 25% metal panel shall be reduced to permit the existing building & proposed asphalt plant components and structures as set forth on the PID Plan. Otherwise, the architecture, building materials, colors and shapes of all buildings shall be consistent the Township Zoning Ordinance.
- D. Above ground storage tanks may include the following capacities:
  1. Fuel storage tank: 1,000 gallons.
  2. Tack storage tank: 2,000 gallons.
  3. Liquid asphalt tanks (2): 1,504,000 gallons.
- E. All signs shall be permitted as authorized in the Zoning Ordinance. Any permitted sign shall have a base constructed of materials that coordinate with and are consistent with the architecture of the building, unless mounted directly on the building.

of

So if owner sells, only owner and not new owners can modify the agreement? This is inconsistent with B below and should be reviewed/revise.

**SECTION 7.**  
**LLANEIOUS PROVISIONS**

- A. This Agreement may not be modified, replaced, amended or terminated without the prior written consent of the parties to this Agreement. With respect to any portion of the Property owned by Owner, the Owner and the Township shall be entitled to modify, replace or amend this Agreement without the consent of any other person or entity, regardless of whether such person or entity now or hereafter has any interest in any part of the Property, including subsequent purchasers, tenants, mortgagees, or others, unless required by Federal, State or local law or ordinance. Amendments and deviations, whether minor or major, shall be made in compliance with the procedures set forth in the Charter Township of Genoa Code of Ordinances at the time the amendment or deviation is sought. Nothing whatsoever provided in this Agreement shall be construed so as to prevent Developer or Owner from seeking major and/or minor changes to the PUD Plan in accordance with the applicable provisions of the Zoning Ordinance.
- B. Reference in this Agreement to Owner or Developer in relation to development is intended to include Developer or Owner's successors, transferees, and assigns unless context dictates to the contrary.
- C. In the event of any direct conflict between the specific terms and provisions of this Agreement (including the attached PiD Plan) and the provisions of the Township Zoning Ordinance, or other Township ordinances, rules or regulations, the provisions of this Agreement shall control. To the extent that this Agreement is silent as to an issue, that issue shall be governed by the provisions of the Township Zoning Ordinance.
- D. Any violation of the terms of this Agreement shall be a violation of the Township Zoning Ordinance. The remedies of Township for a violation shall be such remedies as are provided by ~~and for a violation of the Zoning Ordinance~~. Nothing contained herein shall ~~in any way~~ diminish and rights Owner may have at law or in equity with respect to a breach of this Agreement by Township.
- E. In the event a portion of the Property is submitted for site plan approval, and such approval is denied, the party submitting such site plan shall be entitled to appeal such decision to the Zoning Board of Appeals as provided by law.
- F. The undersigned parties acknowledge that the conditions imposed upon the development of the Property are reasonable conditions necessary to ensure that public services and facilities affected by

PID

equity and law

the proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to protect the natural environment and conserve natural resources and energy, to ensure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner. Further, it is acknowledged that the conditions meet all of the requirements of MCL 125.3503.

G. This Agreement shall be effective as of \_\_\_\_\_.

THE PARTIES have executed this Agreement on the dates set below and agree to be bound.

[SIGNATURES CONTAINED ON THE FOLLOWING PAGES]

DRAFT

**10-20 Investments & Leasing, Inc.**

By Net Lease Associates South, LLC

/s/ \_\_\_\_\_  
By: Jon Sawyer  
Its: Member

**Net Lease Associates North, LLC**

/s/ \_\_\_\_\_  
By: Jon Sawyer  
Its: Member

STATE OF MICHIGAN )  
COUNTY OF LIVINGSTON ) ss.

The foregoing instrument was acknowledged before me this \_\_\_ day of \_\_\_\_\_, 2021, by Jon Sawyer, Member of Net Lease Associates South, LLC and Net Lease Associates North, LLC, Michigan limited liability companies.

\_\_\_\_\_  
Notary Public  
\_\_\_\_\_  
County, Michigan  
My commission expires: \_\_\_\_\_  
Acting in the County of \_\_\_\_\_

**E & B Property Holdings, LLC**

/s/ \_\_\_\_\_  
By: Elizabeth A. Hundley  
Its: Member

STATE OF MICHIGAN )  
COUNTY OF LIVINGSTON ) ss.

The foregoing instrument was acknowledged before me this \_\_\_ day of \_\_\_\_\_, 2021, by Elizabeth A Hundley, Member of E & B Property Holdings, LLC, Michigan limited liability companies.

\_\_\_\_\_  
Notary Public  
\_\_\_\_\_  
County, Michigan  
My commission expires: \_\_\_\_\_  
Acting in the County of \_\_\_\_\_



## EXHIBIT A

### LEGAL DESCRIPTION OF PROPERTY

Land situated in the Township of Genoa, County of Livingston, State of Michigan, and more particularly described as follows:

#### **TODDIEM**

Parcel 3:

A part of the Northwest 1/4 of Section 8, Town 2 North, Range 5 East, Genoa Township, Livingston County, Michigan, described as follows: Commencing at the North 1/4 corner of said Section 8; thence South 87°12'58" West along the North line of said Section, 1817.08 feet to the point of beginning of the parcel to be described; thence South 02°06'23" East 720.64 feet; thence South 88°02'55" West 384.26 feet to the Northeasterly right-of-way line of the C & O Railroad; thence North 49°45'12" West along said right-of-way line 506.19 feet to the West line of said Section (as monumented); thence North 02°15'06" West along and West line 369.60 feet to the Northwest corner of said Section; thence North 87°12'58" East along the North line of said Section, 759.32 feet to the point of beginning.

Subject to and including the use of a 66 foot wide private road easement for ingress and egress, the North line of which is described as: Part of the Northwest 1/4 of Section 8, Town 2 North, Range 5 East, Genoa Township, Livingston County, Michigan, described as follows: Commencing at the North 1/4 corner of said Section 8; thence South 87°12'58" West along the North line of said Section 496.99 feet to the Westerly right-of-way line of Grand Oak Drive and the point of beginning of said easement; thence South 87°12'58" West 2079.41 feet to the point of ending of said easement.

Commonly known as: 3080 Toddiem Drive, Howell, MI 48844

Parcel Identification #4711-08-100-009

#### **VICTORY**

Lot 15, Grand Oaks West Industrial Park, according to the plat thereof, as recorded in Liber 30 of Plats, Pages 1, 2, 3, 4, and 5, Livingston County Records.

Commonly known as: Vacant Land, Victory Drive, Howell, MI 48843

Parcel Identification #4711-05-303-015



EXHIBIT B  
IMPACT ASSESSMENT

DRAFT

EXHIBIT C

PID PLAN

DRAFT



# PRELIMINARY SITE PLAN FOR TODDIEM - VICTORY DRIVE PID 13080 TODDIEM DRIVE

**LOT 15 OF GRAND OAKS WEST INDUSTRIAL PARK  
AND PART OF NW 1/4 OF SECTION 8, T.2N.-R.5E.  
GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN**

## LEGAL DESCRIPTION

**PARCEL No. 4711-05-303-015**  
LOT 15 OF "GRAND OAKS WEST INDUSTRIAL PARK," AN INDUSTRIAL SUBDIVISION OF PART OF THE NORTHWEST FRACTIONAL 1/4 OF SECTION 5, SOUTHWEST 1/4 OF SECTION 5, SOUTHEAST 1/4 OF SECTION 6 AND THE NORTHEAST 1/4 OF SECTION 7, TOWN 2 NORTH, RANGE 5 EAST, GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN LIBER 30 OF PLATS, PAGES 1 THROUGH 5 INCLUSIVE, LIVINGSTON COUNTY RECORDS.  
ALSO KNOWN AS: VACANT, VICTORY DRIVE, BRIGHTON, MICHIGAN

**PARCEL No. 4711-08-100-009**  
REFERENCE: CERTIFIED LAND SURVEY No. 2446 AS RECORDED IN LIBER 920, PAGE 459, LIVINGSTON COUNTY RECORDS  
**PARCEL "3":**

A PART OF THE NORTHWEST 1/4 OF SECTION 8, TOWN 2 NORTH, RANGE 5 EAST, GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH 1/4 CORNER OF SECTION 8; THENCE S87°12'58"W ALONG THE NORTH LINE OF SAID SECTION, 1817.08 FEET TO THE POINT OF BEGINNING OF THE PARCEL TO BE DESCRIBED; THENCE S02°06'23"E 720.64 FEET; THENCE S88°02'55"W 384.26 FEET TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE C.&O. RAILROAD; THENCE N49°45'12"W ALONG SAID RIGHT-OF-WAY LINE 506.19 FEET TO THE WEST LINE OF SAID SECTION (AS MONUMENTED); THENCE N02°15'06"W ALONG SAID WEST LINE 369.60 FEET TO THE NORTHWEST CORNER OF SAID SECTION; THENCE N87°12'58"E ALONG THE NORTH LINE OF SAID SECTION 759.32 FEET TO THE POINT OF BEGINNING. SUBJECT TO AND INCLUDING THE USE OF A 66 FOOT WIDE PRIVATE ROAD EASEMENT FOR INGRESS AND EGRESS AS DESCRIBED BELOW.

66 FOOT WIDE PRIVATE ROAD EASEMENT FOR INGRESS AND EGRESS, THE NORTH LINE OF WHICH IS DESCRIBED AS BEING A PART OF THE NORTHWEST 1/4 OF SECTION 8, TOWN 2 NORTH, RANGE 5 EAST, GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 8; THENCE S87°12'58"W ALONG THE NORTH LINE OF SAID SECTION 496.99 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF GRAND OAK DRIVE AND THE POINT OF BEGINNING OF SAID EASEMENT; THENCE S87°12'58"W 2079.41 FEET TO THE POINT OF ENDING OF SAID EASEMENT  
ALSO KNOWN AS: 3080 TODDIEM DRIVE, BRIGHTON, MICHIGAN

### BENCHMARK

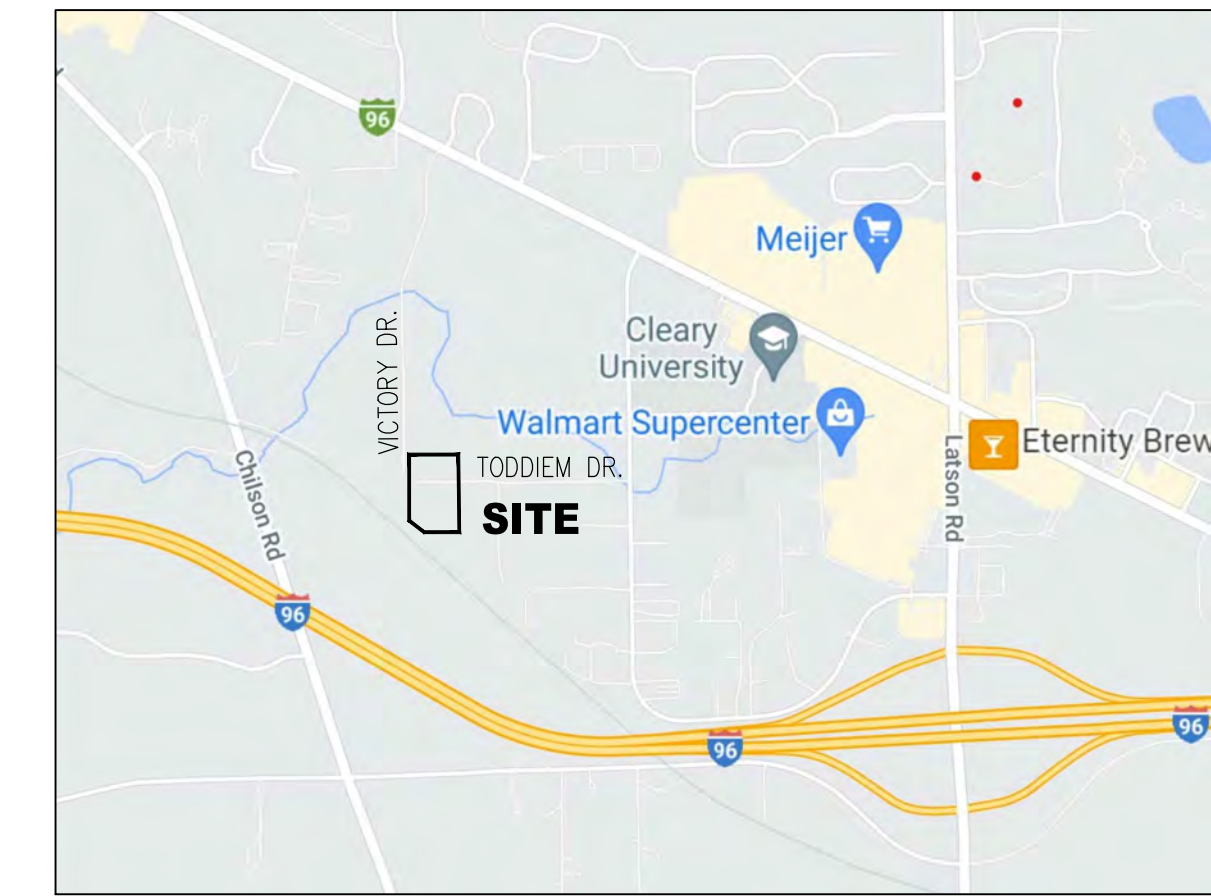
DATUM BASED ON NGS OPUS SOLUTION REPORT, DATED AUGUST 11, 2021 AT 9:01 AM

BENCHMARK #201  
CHISELED "M" IN THE TOP OF A CONCRETE CULVERT, LOCATED NEAR THE NW SIDE OF CUL-DE-SAC OF VICTORY DRIVE.  
ELEVATION = 949.53 (NAVD 88)

BENCHMARK #202  
RR SPIKE IN THE NORTHERLY SIDE OF A 12" TWIN ASH TREE, LOCATED NEAR THE EAST SIDE OF GRAVEL ENTRANCE OF #3080 TODDIEM.  
ELEVATION = 959.175 (NAVD 88)

BENCHMARK #203  
FINISH FLOOR ELEVATION IN OFFICE ENTRANCE, LOCATED NEAR THE NORTHWEST CORNER OF #3080 TODDIEM.  
ELEVATION = 963.47 (NAVD 88)

BENCHMARK #204  
ARROW ON HYDRANT, LOCATED NEAR THE NWLY QUAD OF THE INTERSECTION OF GRAND OAK RD AND TODDIEM DR.  
ELEVATION = 975.77 (NAVD 88)



### LOCATION MAP

NOT TO SCALE

### SHEET INDEX

EX	EXISTING CONDITIONS AND DEMOLITION PLAN
SP	SITE PLAN
GR	GRADING & PAVING PLAN
UT	UTILITY PLAN
RD1	TODDIEM DRIVE EXTENSION PLAN
WS	WATERSHED PLAN & STORM WATER MANAGEMENT SYTEM CALCULATIONS
LA	LANDSCAPE PLAN
DT1	SITE DEVELOPMENT NOTES & DETAILS
T	TRANSPORTATION PLAN
1	STATIONARY PLANT 500 TPH LAYOUT
3	FLOOR PLAN - 1988
4	EXTERIOR ELEVATIONS - 1988



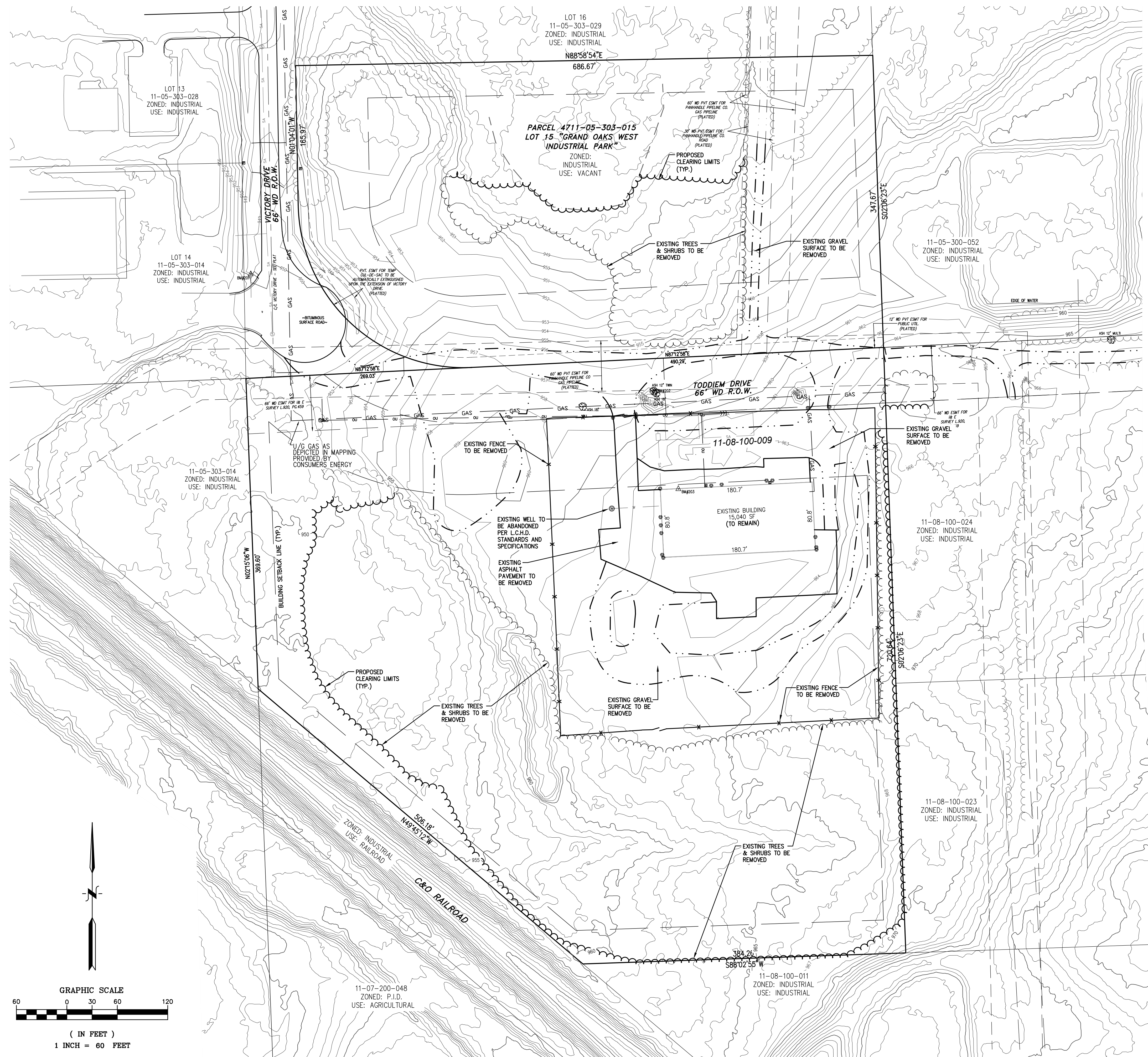
**DEVELOPER**  
NET LEASE ASSOCIATES NORTH, LLC  
NET LEASE ASSOCIATES SOUTH, LLC  
3988 S. CANAL ROAD  
LANSING, MI.  
(517) 322-0800

**CIVIL ENGINEER/LAND SURVEYOR**  
DESINE INC.  
2183 PLESS DRIVE  
BRIGHTON, MI. 48114  
(810) 227-9533

**DESINE INC.**  
(810) 227-9533  
CIVIL ENGINEERS  
LAND SURVEYORS  
2183 PLESS DRIVE  
BRIGHTON, MICHIGAN 48114

REVISED	SCALE: N/A
09-21-21	PROJECT No.: 9214101
	DWG NAME: 4101-COV
	PRINT: <b>SEPT. 21, 2021</b>





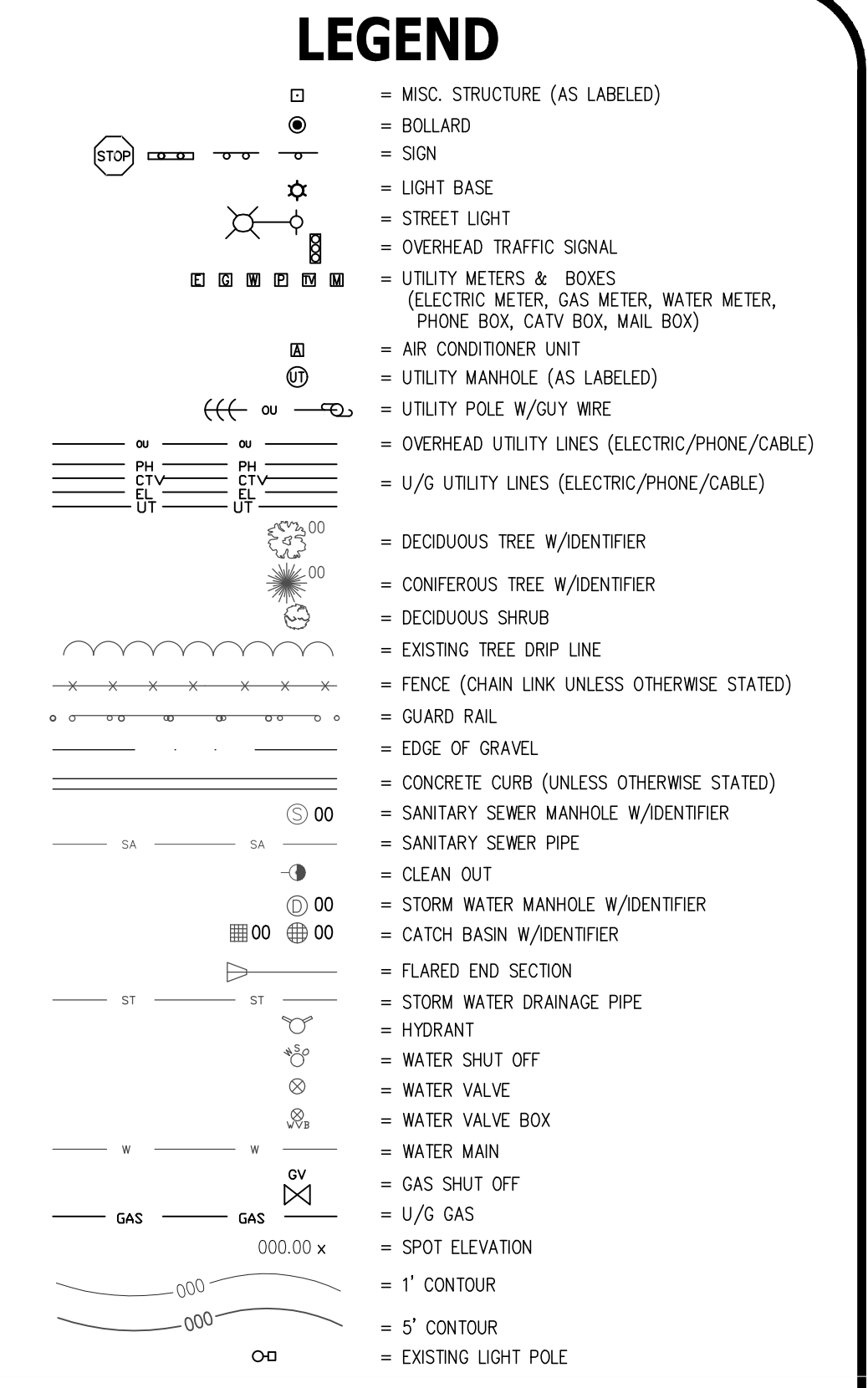
**BENCHMARK**  
 DATUM BASED ON NGS OPUS SOLUTION REPORT, DATED AUGUST 11, 2021 AT 9:01 AM

**BENCHMARK #201**  
 CHISELED "X" IN THE TOP OF A CONCRETE CULVERT, LOCATED NEAR THE NW SIDE OF CUL-DE-SAC OF VICTORY DRIVE. ELEVATION = 949.53 (NAVD 88)

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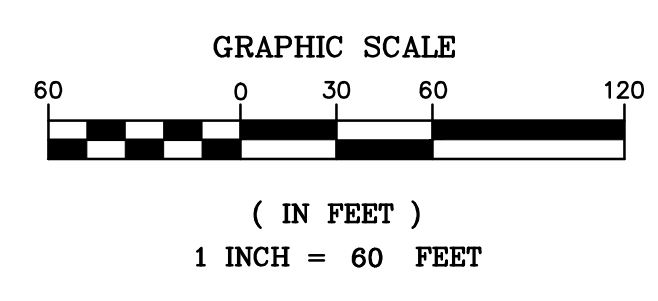
**BENCHMARK #203**  
 FINISH FLOOR ELEVATION IN OFFICE ENTRANCE, LOCATED NEAR THE NORTHWEST CORNER OF #3080 TODDIEM. ELEVATION = 963.47 (NAVD 88)

**BENCHMARK #204**  
 ARROW ON HYDRANT, LOCATED NEAR THE NWLY QUAD OF THE INTERSECTION OF GRAND OAK RD AND TODDIEM DR. ELEVATION = 975.77 (NAVD 88)



**DEMOLITION NOTES:**

1. The demolition specifications of the Local Municipality are a part of this work. Refer to the General Notes on the project plans for additional requirements.
2. Contractor shall contact the 811 Underground Public Utility Locating System or other appropriate local underground utility locating Agency, a minimum of three (3) working days prior to performing demolition work. Existing utility information on the project plans may be from information disclosed to this firm by the Utility Companies, Local, County or State Agencies, and/or various other sources. No guarantee is given as to the completeness or accuracy thereof. Prior to construction, locations and depths of all existing utilities (in possible conflict with the proposed improvements) shall be verified in the field.
3. Contractor shall contact the appropriate Agencies to coordinate disconnect of the electric, gas, phone, cable and other public utilities as necessary prior to performing demolition work.
4. Contractor shall contact the appropriate Agencies to coordinate removal and/or relocation of any underground and/or overhead public utility lines as necessary prior to performing demolition work.
5. Contractor shall recycle and/or dispose of all demolition material and debris in accordance with the appropriate Local, County, State and Federal regulations.
6. All bituminous and concrete pavement to be removed shall be saw cut at the limits of removal to provide for a clean straight edge for future abutment.
7. All existing irrigation lines to be removed shall be terminated at the limits of demolition or as necessary to allow for construction of the proposed site improvements. Ends of pipe shall be capped and the location of marked for future connection.
8. All existing water main and sanitary sewer to be removed shall be terminated at the limits of demolition or as indicated on the project plans. Temporary plugs shall be installed in the ends of pipe in accordance with the appropriate Agency and the locations of marked for future connection. Permanent plugs shall be installed in the ends of pipe in accordance with the appropriate Agency. The Contractor shall record the location of all permanent plugs and provide the location information to the appropriate Agency.
9. All existing storm sewer to be removed shall be terminated at the limits of demolition or as indicated on the project plans. Temporary plugs shall be installed in the ends of pipe in accordance with the appropriate Agency and the locations of marked for future connection. Permanent bulkheads shall be installed in the ends of pipe and/or openings in terminating structures in accordance with the appropriate Agency. The Contractor shall record the location of all permanent bulkheads and provide the location information to the appropriate Agency.
10. All existing light sources to be removed shall have their power cables removed up to the power source or properly terminated for future connection at the limits of demolition or as necessary to allow for construction of the proposed site improvements. Removal and termination of power cables shall be performed in accordance with local electric codes.
11. All existing utility meters to be removed shall be properly removed to allow for reuse. Any existing utility meters that are not to be reused as a part of this project shall be returned to the appropriate Agency.
12. All trenches and/or excavations resulting from the demolition of underground utilities, building foundations, etc., that are located within the 1 on 1 influence zone of proposed structures, paved areas and/or other areas subject to vehicular traffic shall be backfilled with MDOT Class III granular material (or better) to the proposed subgrade elevation. Backfill shall be placed using the controlled density method (12" maximum lifts, compacted to 95% maximum unit weight, Modified Proctor).



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 BRIGHTON, MICHIGAN 48114

DESIGN: WMP	REVISION #	DATE	REVISION-DESCRIPTION	REVISION #	DATE	REVISION-DESCRIPTION
DRAFT: L.F.						
CHECK: WMP						

**TODDIEM-VICTORY DRIVE PID**

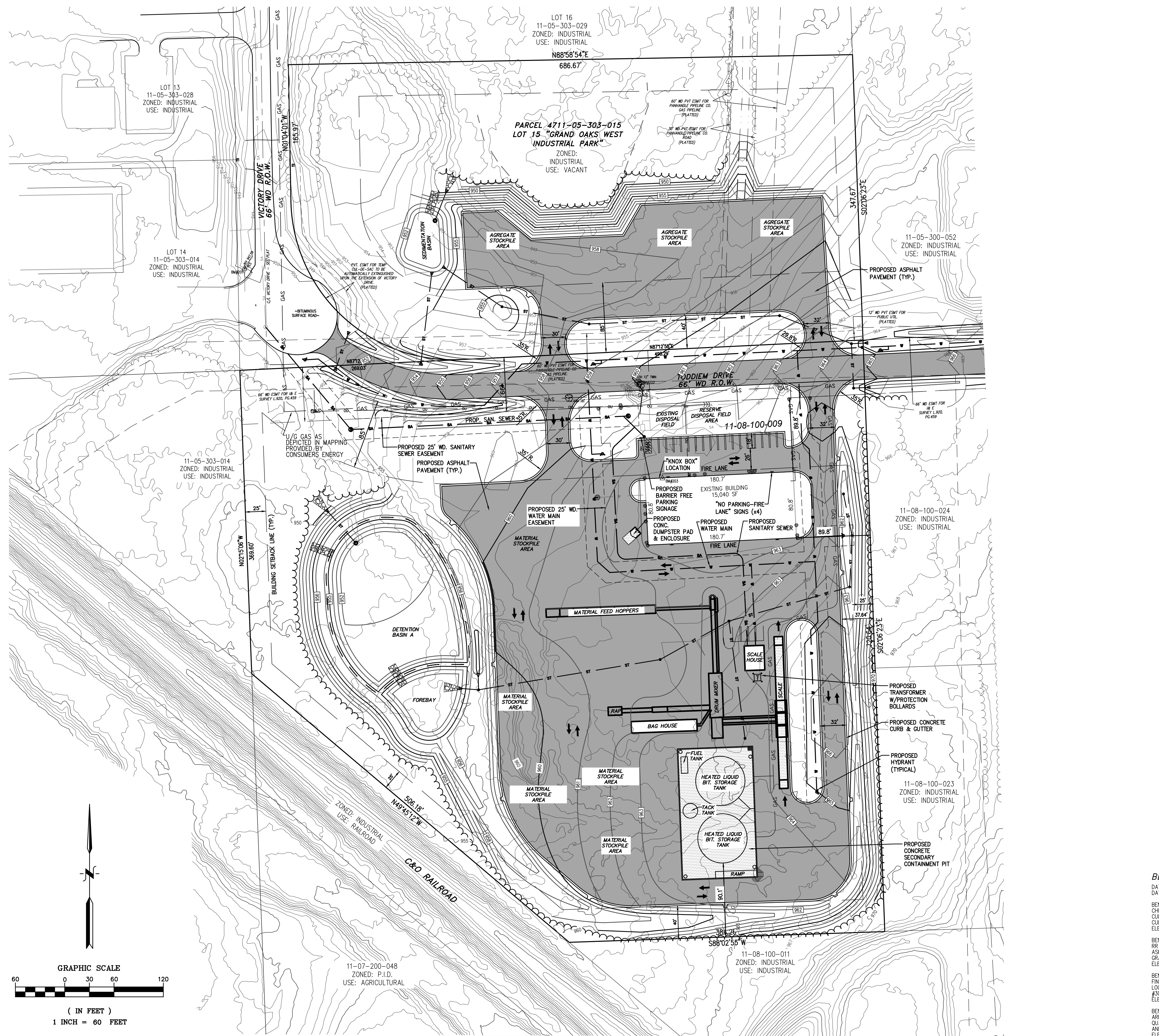
**EXISTING CONDITIONS DEMOLITION PLAN**

CLIENT:  
 Net Lease Associates North, LLC  
 Net Lease Associates South, LLC  
 3888 S. CANAL ROAD  
 LANSING, MICHIGAN  
 517-322-0800

SCALE: 1"=60'  
 PROJECT No.: 9214101  
 DWG NAME: 4101-EX  
 ISSUED: SEPT. 21, 2021

**EX**





### LEGEND

- = MISC. STRUCTURE (AS LABELED)
- = BOLLARD
- = SIGN
- = LIGHT BASE
- = STREET LIGHT
- = OVERHEAD TRAFFIC SIGNAL
- = UTILITY METERS & BOXES (ELECTRIC METER, GAS METER, WATER METER, PHONE BOX, CATV BOX, MAIL BOX)
- = AIR CONDITIONER UNIT
- = UTILITY MANHOLE (AS LABELED)
- = UTILITY POLE W/GUY WIRE
- = OVERHEAD UTILITY LINES (ELECTRIC/PHONE/CABLE)
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- = DECIDUOUS SHRUB
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- = EDGE OF GRAVEL
- = CONCRETE CURB (UNLESS OTHERWISE STATED)
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- = 5' CONTOUR
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- = PROPOSED STORM STRUCTURES
- = PROPOSED 1' CONTOUR
- = PROPOSED 5' CONTOUR
- = PROPOSED HEAVY DUTY BITUMINOUS PAVEMENT
- = PROPOSED HEAVY DUTY CONCRETE PAVEMENT

### SITE DATA:

PROJECT AREA: 11-05-303-015 5.20 AC.  
11-08-100-009 11.00 AC.

CURRENT ZONING: INDUSTRIAL  
PROPOSED USE: ASPHALT PLANT

	PERMITTED	PROPOSED
SITE AREA:	5 AC. (MIN.)	16.20 AC.
WIDTH:	150 FEET	30 FEET
BUILDING HEIGHT:	30 FEET	1 STORY / 22 FEET
STORAGE SILO HEIGHT:		86 FEET
LOT COVERAGE (BLDG):	40%	3.0%
IMPERVIOUS COVERAGE:	85%	42.9%
SETBACKS: FRONT	85 FT.	89.8'
SIDE	25 FT.	89.8'
REAR	40 FT.	90.1'
PARKING: FRONT	20 FT.	40.0'
SIDE & REAR	10 FT.	37.64'
EXISTING BUILDING AREA:	15,040 sq.ft.	
TANK VOLUMES:	FUEL TACK	1,000 GALLONS
	TACK	2,000 GALLONS
	LIQUID ASPHALT	1,504,000 GALLONS EACH

PARKING REQUIREMENTS:  
INDUSTRIAL:  
1.5 SPACES PER 1,000 SQ. FT.  
15,040 SQ. FT. / 1,000 (1.5) = 23 SPACES  
PROVIDED PARKING: = 23 SPACES  
EMPLOYEES = 10 (ESTIMATED)

**BENCHMARK**  
DATUM BASED ON NGS OPUS SOLUTION REPORT, DATED AUGUST 11, 2021 AT 9:01 AM

BENCHMARK #201  
CHISELED "S" IN THE TOP OF A CONCRETE CULVERT, LOCATED NEAR THE NW SIDE OF CUL-DE-SAC OF VICTORY DRIVE. ELEVATION = 949.53 (NAVD 88)

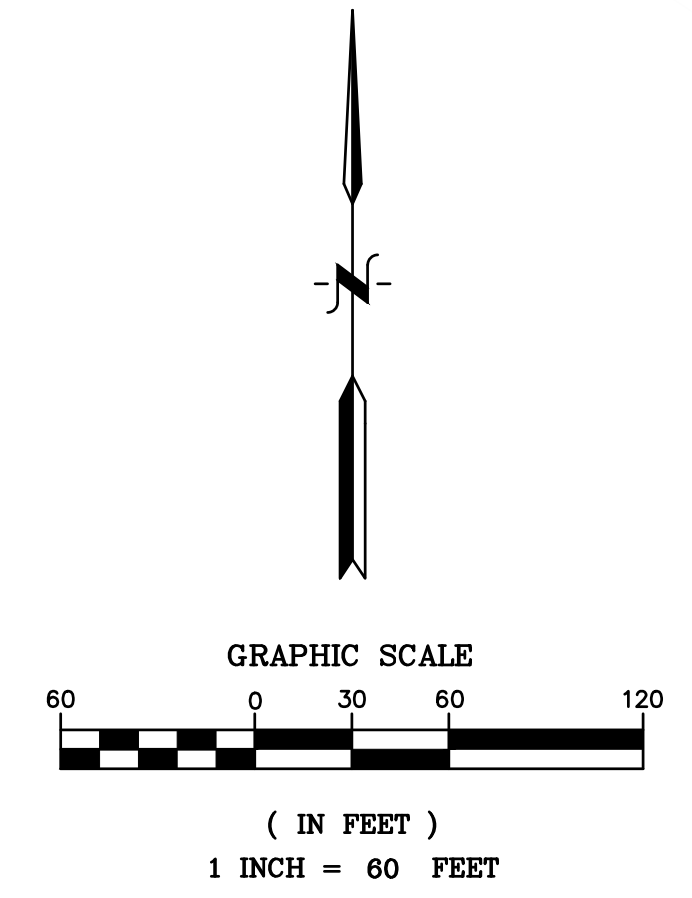
BENCHMARK #202  
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BRIGHTON, MICHIGAN 48114



DESIGN:WMP	REVISION #	DATE	REVISION-DESCRIPTION	REVISION #	DATE	REVISION-DESCRIPTION
DRAFT: L.F.	1	09-21-21	REVISED PER REVIEW COMMENTS			
CHECK: WMP						

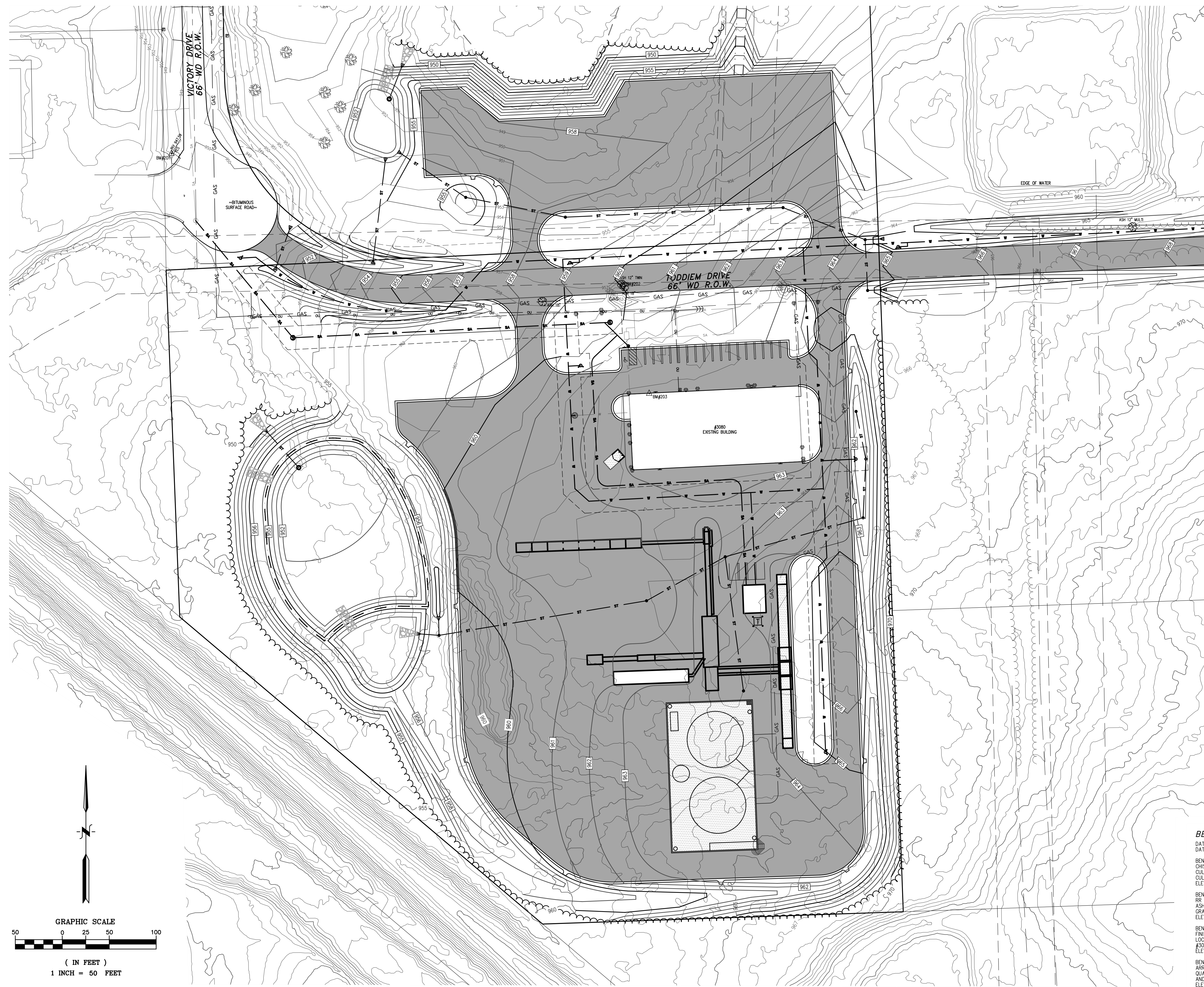
## TODDIEM-VICTORY DRIVE PID

## SITE PLAN

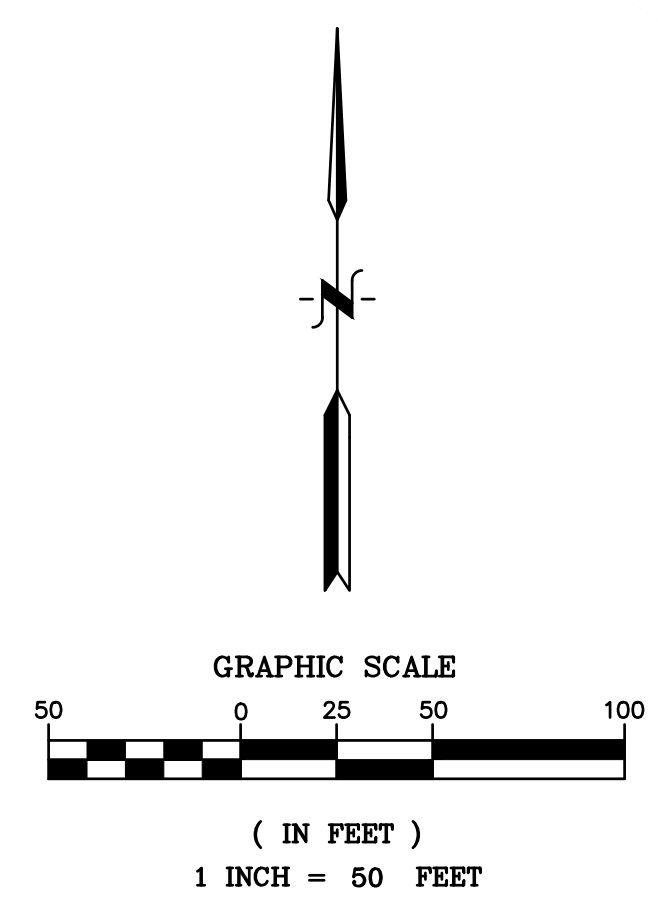
CLIENT: Net Lease Associates North, LLC Net Lease Associates South, LLC 3888 S. CANAL ROAD LANSING, MICHIGAN 517-322-0800	SCALE: 1"=60' PROJECT No.: 9214101 DWG NAME:4101-SP ISSUED: <b>SEPT. 21, 2021</b>
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# SP





- ### LEGEND
- = MISC. STRUCTURE (AS LABELED)
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  - = PROPOSED HEAVY DUTY CONCRETE PAVEMENT



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**DESIGN INC**

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 CIVIL ENGINEERS  
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 BRIGHTON, MICHIGAN 48114

DESIGN: WMP	REVISION #	DATE	REVISION-DESCRIPTION	REVISION #	DATE	REVISION-DESCRIPTION
DRAFT: L.F.	1	09-21-21	REVISED PER REVIEW COMMENTS			
CHECK: WMP						

## TODDIEM-VICTORY DRIVE PID

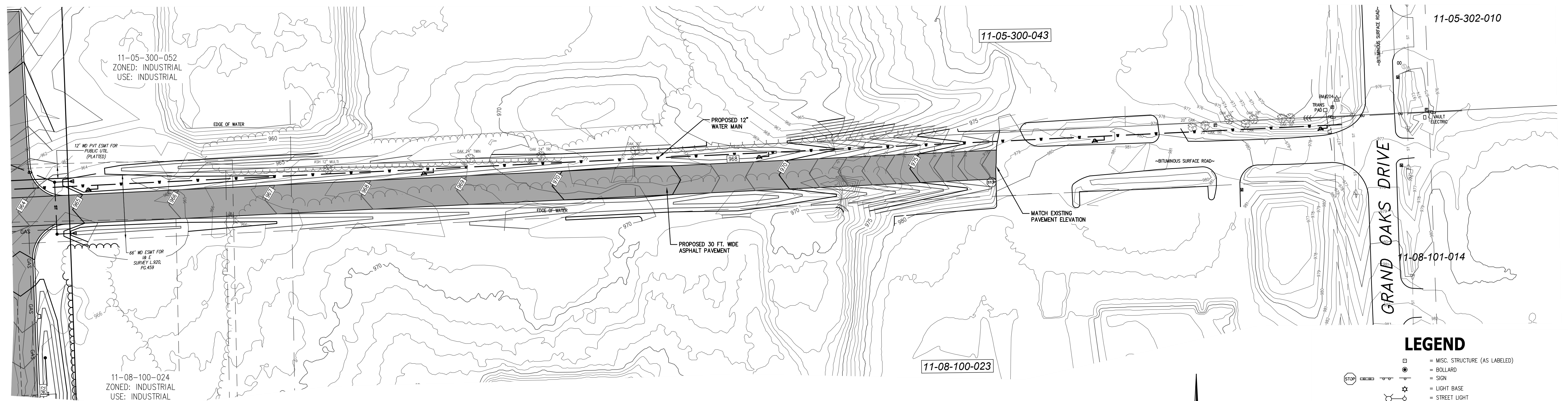
## GRADING & PAVING PLAN

CLIENT:  
 Net Lease Associates North, LLC  
 Net Lease Associates South, LLC  
 3888 S. CANAL ROAD  
 LANSING, MICHIGAN  
 517-322-0800

SCALE: 1"=50'  
 PROJECT No.: 9214101  
 DWG NAME: 4101-GR  
 ISSUED: SEPT. 21, 2021







11-05-302-010

11-05-300-052  
ZONED: INDUSTRIAL  
USE: INDUSTRIAL

11-05-300-043

GRAND OAKS DRIVE

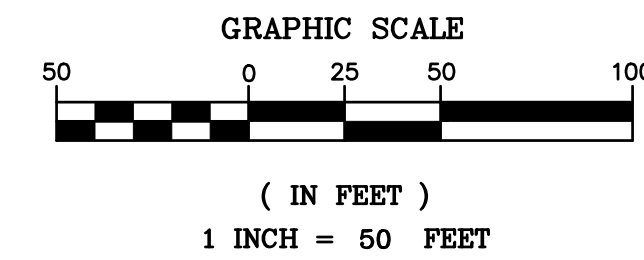
11-08-101-014

11-08-100-024  
ZONED: INDUSTRIAL  
USE: INDUSTRIAL

11-08-100-023

**LEGEND**

- = MISC. STRUCTURE (AS LABELED)
- = BOLLARD
- ⊕ = SIGN
- ⊙ = LIGHT BASE
- ⊙ = STREET LIGHT
- ⊙ = OVERHEAD TRAFFIC SIGNAL
- ⊙ = UTILITY METERS & BOXES (ELECTRIC METER, GAS METER, WATER METER, PHONE BOX, CATV BOX, MAIL BOX)
- ⊙ = AIR CONDITIONER UNIT
- ⊙ = UTILITY MANHOLE (AS LABELED)
- ⊙ = UTILITY POLE W/GUY WIRE
- ⊙ = OVERHEAD UTILITY LINES (ELECTRIC/PHONE/CABLE)
- ⊙ = U/G UTILITY LINES (ELECTRIC/PHONE/CABLE)
- = DECIDUOUS TREE W/IDENTIFIER
- = CONIFEROUS TREE W/IDENTIFIER
- = DECIDUOUS SHRUB
- = EXISTING TREE DRIP LINE
- = FENCE (CHAIN LINK UNLESS OTHERWISE STATED)
- = GUARD RAIL
- = EDGE OF GRAVEL
- = CONCRETE CURB (UNLESS OTHERWISE STATED)
- = SANITARY SEWER MANHOLE W/IDENTIFIER
- = SANITARY SEWER PIPE
- = CLEAN OUT
- = STORM WATER MANHOLE W/IDENTIFIER
- = CATCH BASIN W/IDENTIFIER
- = FLARED END SECTION
- = STORM WATER DRAINAGE PIPE
- = HYDRANT
- = WATER SHUT OFF
- = WATER VALVE
- = WATER VALVE BOX
- = WATER MAIN
- = GAS SHUT OFF
- = U/G GAS
- = SPOT ELEVATION
- = 1' CONTOUR
- = 5' CONTOUR
- = EXISTING LIGHT POLE
- = PROPOSED LIGHT POLE
- = PROPOSED SANITARY SEWER
- = PROPOSED WATER MAIN
- = PROPOSED STORM SEWER
- = PROPOSED STORM STRUCTURES
- = PROPOSED 1' CONTOUR
- = PROPOSED 5' CONTOUR
- = PROPOSED HEAVY DUTY BITUMINOUS PAVEMENT
- = PROPOSED HEAVY DUTY CONCRETE PAVEMENT



**BENCHMARK**

DATUM BASED ON NGS OPUS SOLUTION REPORT, DATED AUGUST 11, 2021 AT 9:01 AM

BENCHMARK #201  
CHISELED "X" IN THE TOP OF A CONCRETE CULVERT, LOCATED NEAR THE NW SIDE OF CUL-DE-SAC OF VICTORY DRIVE.  
ELEVATION = 949.53 (NAVD 88)

BENCHMARK #202  
RR SPIKE IN THE NORTHERLY SIDE OF A 12" TWIN ASH TREE, LOCATED NEAR THE EAST SIDE OF GRAVEL ENTRANCE OF #3080 TODDIEM.  
ELEVATION = 958.75 (NAVD 88)

BENCHMARK #203  
FINISH FLOOR ELEVATION IN OFFICE ENTRANCE, LOCATED NEAR THE NORTHWEST CORNER OF #3080 TODDIEM.  
ELEVATION = 963.47 (NAVD 88)

BENCHMARK #204  
ARROW ON HYDRANT, LOCATED NEAR THE NWLY QUAD OF THE INTERSECTION OF GRAND OAK RD AND TODDIEM DR.  
ELEVATION = 979.77 (NAVD 88)

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OR VISIT CALL811.COM

(810) 227-9533  
CIVIL ENGINEERS  
LAND SURVEYORS  
2183 PLESS DRIVE  
BRIGHTON, MICHIGAN 48114

DESIGN: WMP	REVISION #	DATE	REVISION-DESCRIPTION	REVISION #	DATE	REVISION-DESCRIPTION
DRAFT: L.F.						
CHECK: WMP						

**TODDIEM-VICTORY DRIVE PID**

**TODDIEM DRIVE EXTENSION PLAN**

CLIENT:  
Net Lease Associates North, LLC  
Net Lease Associates South, LLC  
3888 S. CANAL ROAD  
LANSING, MICHIGAN  
517-322-0800

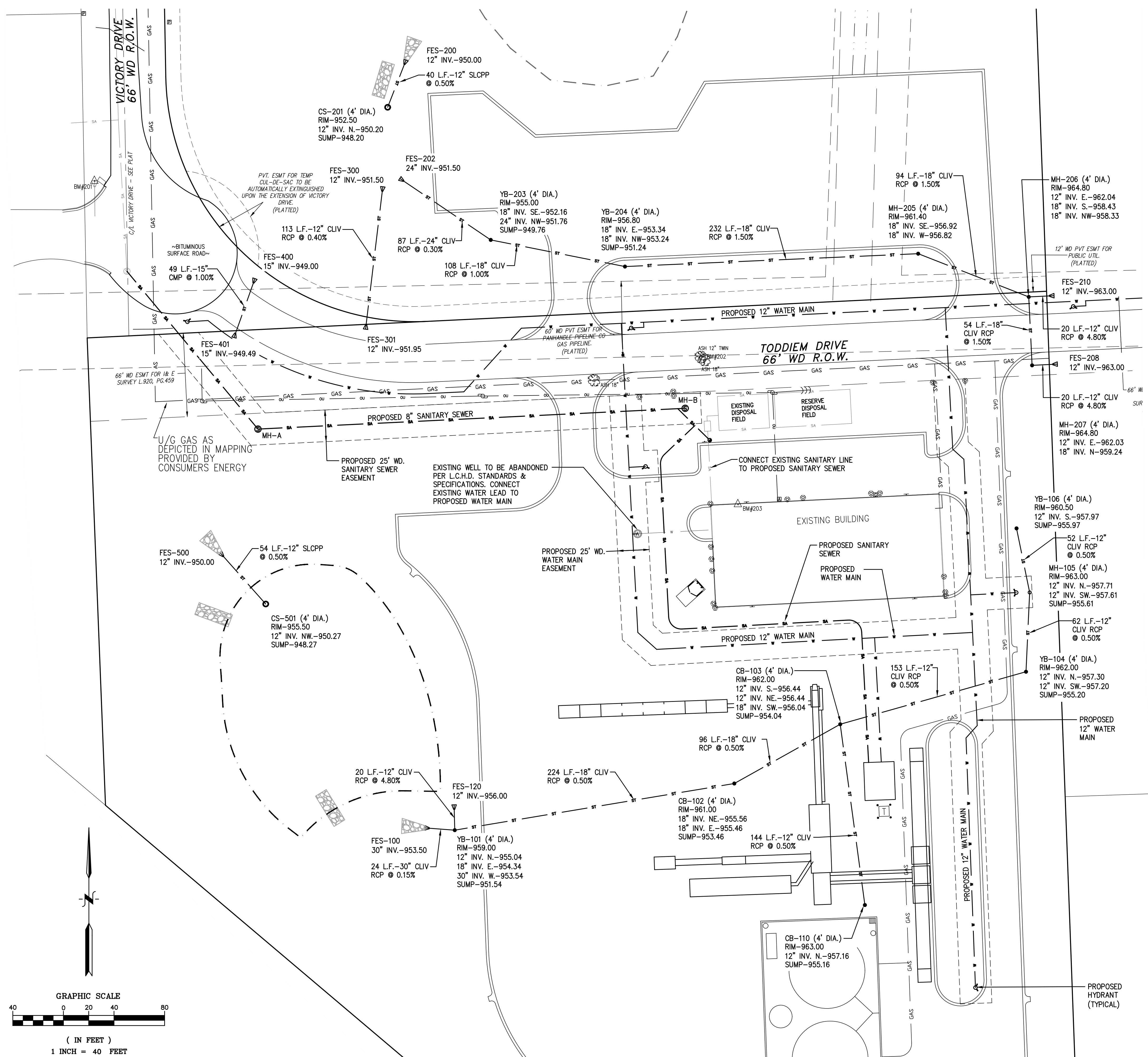
SCALE: 1"=50'  
PROJECT No.: 9214101  
DWG NAME: 4101-RD1  
ISSUED: SEPT. 21, 2021

**RD1**



**LEGEND**

- = MISC. STRUCTURE (AS LABELED)
- = BOLLARD
- = SIGN
- = LIGHT BASE
- = STREET LIGHT
- = OVERHEAD TRAFFIC SIGNAL
- = UTILITY METERS & BOXES (ELECTRIC METER, GAS METER, WATER METER, PHONE BOX, CATV BOX, MAIL BOX)
- = AIR CONDITIONER UNIT
- = UTILITY MANHOLE (AS LABELED)
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- = U/G UTILITY LINES (ELECTRIC/PHONE/CABLE)
- = SANITARY SEWER MANHOLE W/IDENTIFIER
- = SANITARY SEWER PIPE
- = CLEAN OUT
- = STORM WATER MANHOLE W/IDENTIFIER
- = STORM WATER DRAINAGE PIPE
- = HYDRANT
- = WATER SHUT OFF
- = WATER VALVE
- = WATER VALVE BOX
- = WATER MAIN
- = GAS SHUT OFF
- = U/G GAS
- = PROPOSED SANITARY SEWER
- = PROPOSED WATER MAIN
- = PROPOSED STORM SEWER
- = PROPOSED STORM STRUCTURES



TODDIEM DRIVE	
Water Main Basis of Design	August 16, 2021
TSV TO HYD	
<b>Design Factors:</b>	
Equivalent length of pipe	L = 2075 feet
Hazen-Williams roughness constant	C = 110
Design flow volume	Q = 3000 gpm
Pipe diameter	Dia = 12.0 inches
<b>Calculated Pressure Loss</b>	
friction head loss (feet per 100 feet)	f = 2.70 ft / 100 ft
friction head loss (psi per 100 feet)	f = 1.16 psi / 100 ft
<b>Calculated Flow Velocity</b>	
Flow velocity	V = 8.51 ft/s
<b>Resultant Pressures</b>	
Pressure at WTR Main*	P1 = 70.0 psi
Calculated pressure at HYD "N"	P2 = 45.9 psi

**BENCHMARK**  
 DATUM BASED ON NGS OPUS SOLUTION REPORT, DATED AUGUST 11, 2021 AT 9:01 AM

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 CHISELED "X" IN THE TOP OF A CONCRETE CULVERT, LOCATED NEAR THE NW SIDE OF CUL-DE-SAC OF VICTORY DRIVE. ELEVATION = 949.53 (NAVD 88)

BENCHMARK #202  
 RR SPIKE IN THE NORTHERLY SIDE OF A 10" TWIN ASH TREE, LOCATED NEAR THE EAST SIDE OF GRAVEL ENTRANCE OF #3080 TODDIEM. ELEVATION = 958.175 (NAVD 88)

BENCHMARK #203  
 FINISH FLOOR ELEVATION IN OFFICE ENTRANCE, LOCATED NEAR THE NORTHWEST CORNER OF #3080 TODDIEM. ELEVATION = 963.47 (NAVD 88)

BENCHMARK #204  
 ARROW ON HYDRANT, LOCATED NEAR THE NWLY QUAD OF THE INTERSECTION OF GRAND OAK RD AND TODDIEM DR. ELEVATION = 975.77 (NAVD 88)

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 2183 PLESS DRIVE  
 BRIGHTON, MICHIGAN 48114

DESIGN: WMP	REVISION #	DATE	REVISION-DESCRIPTION	REVISION #	DATE	REVISION-DESCRIPTION
DRAFT: L.F.	1	09-21-21	REVISED PER REVIEW COMMENTS			
CHECK: WMP						

**TODDIEM-VICTORY DRIVE PID**

**UTILITY PLAN**

CLIENT:  
 Net Lease Associates North, LLC  
 Net Lease Associates South, LLC  
 3888 S. CANAL ROAD  
 LANSING, MICHIGAN  
 517-322-0800

SCALE: 1"=40'  
 PROJECT No.: 9214101  
 DWG NAME: 4101-UT  
 ISSUED: SEPT. 21, 2021

**UT**



**LEGEND**

- = STORM WATER MANHOLE W/IDENTIFIER
- = CATCH BASIN W/IDENTIFIER
- = FLARED END SECTION
- = 1' CONTOUR
- = 5' CONTOUR
- = PROPOSED STORM SEWER
- = PROPOSED STORM STRUCTURES
- = PROPOSED 1' CONTOUR
- = PROPOSED 5' CONTOUR
- = DRAINAGE TRIBUTARY BOUNDARY

Design Criteria: 10 year event (I = 175t + 25) RCP n= 0.013 HDPE n= 0.013

From MH# CB# FES#	To MH# CB# FES#	Inc. Acres	Eqv. Area 100% CA	Total Area 100% CA	T Time Min.	I Inch Per Hour	Q (CIA) c.f.s.	Dia. of pipe inch	Slope pipe %	Slope H.G. %	Length of line ft.	Vel. Flow full ft./sec.	Time of flow min.	Cap of pipe c.f.s.	H.G. Elev. upper end	Ground Elev. Upper end	Ground Elev. Lower end	Invert Elev. Upper end	Invert Elev. Lower end	
301	300	0.18	0.55	0.10	0.10	15.0	4.38	0.43	12	0.40	113	2.87	0.7	2.25	952.52	951.95	951.50	951.95	951.50	
210	206	0.58	0.55	0.32	0.32	15.0	4.38	1.40	12	4.80	20	9.94	0.0	7.81	963.07	963.00	964.80	963.00	962.04	
208	207	4.96	0.24	1.20	1.20	15.0	4.38	5.23	12	4.80	2.15	20	9.94	0.0	7.81	963.47	963.00	964.80	963.00	962.04
207	206	0.00	0.00	0.00	1.20	15.0	4.37	5.22	18	1.50	0.25	54	7.28	0.1	12.86	960.06	964.80	964.80	959.24	958.43
206	205	0.00	0.00	0.00	1.51	15.2	4.36	6.60	18	1.50	0.39	94	7.28	0.2	12.86	958.79	964.80	961.40	956.33	956.92
205	204	0.00	0.00	0.00	1.51	15.4	4.33	6.56	18	1.50	0.39	232	7.28	0.5	12.86	956.82	961.40	956.80	956.82	953.34
204	203	0.45	0.37	0.17	1.68	15.9	4.28	7.19	18	1.00	0.47	108	5.94	0.3	10.50	954.24	956.80	955.00	953.24	952.16
203	202	1.33	0.83	1.11	2.79	16.2	4.25	11.84	24	0.30	0.27	87	3.94	0.4	12.39	953.74	955.00	951.50	951.76	951.50
951.73 Downstream HWL																				

**SEDIMENTATION BASIN VOLUME CALCULATIONS**

BASIN B				
POND DEPTH (FT)	ELEV.	CONTOUR AREA (SF)	INCREMENTAL VOLUME (CF)	TOTAL VOLUME (CF)
BOTTOM	951.00	2,317	0	0
1.0	952.00	3,327	2,807	2,807
2.0	953.00	3,776	3,549	6,356
		4494		
LOWER	ELEV 952.00	VOLUME 2,807	VOLUME REQ. 1,856	ELEVATION 951.73
HIGHER	ELEV 953.00	VOLUME 6,356		

**PROPOSED DRAINAGE AREAS - NORTH**

"Area"	0.90 Pavement	0.90 Building	0.20 Lawn	1.00 Water	(ACRES) Area	"C" Factor
FES-301	0.09	0.00	0.09	0.00	0.18	0.55
FES-210	0.29	0.00	0.29	0.00	0.58	0.55
FES-208	0.29	0.00	4.67	0.00	4.96	0.24
YB-204	0.11	0.00	0.34	0.00	0.45	0.37
YB-203	1.20	0.00	0.13	0.00	1.33	0.83
Sedimentation Area	0.10	0.00	0.65	0.05	0.80	0.34
TOTAL AREA =					8.30	ACRES
RUN-OFF COEFFICIENT =					0.38	

**CONTROL STRUCTURE (CS-201) CALCULATIONS**

Tributary Area: A = 8.30 Acres  
 Compound Runoff Coefficient: C = 0.38  
 Orifice Flow Coefficient: c = 0.60  
 Allowable Outflow Rate: Qa = 0.83 CFS  
 First Flush Volume: Vff = 1,856 CF  
 Low Water Level: LWL = 951.00  
 First Flush Elevation: Xff = 951.73

**FIRST FLUSH:**  
 Qff = Vff \* (1 / 24 hrs) \* (1 / 3600 sec) = 0.021 CFS  
 Hff = (2 / 3) \* (Xff - LWL) = 0.49 FT  
 Aff = Qff / (c \* SQRT(2 \* 32.2 \* Hff)) = 0.0064 SF  
 Nff = Aff / 0.0055 = 1.2 1.0" Holes

Use Nff = 1 1.0" Holes at Elevation = 951.00

**DETENTION BASIN VOLUME CALCULATIONS**

BASIN A				
POND DEPTH (FT)	ELEV.	CONTOUR AREA (SF)	INCREMENTAL VOLUME (CF)	TOTAL VOLUME (CF)
BOTTOM	951.00	0	0	0
1.0	952.00	9,600	3,200	3,200
2.0	953.00	20,050	14,512	17,712
3.0	954.00	22,730	21,381	39,093
4.0	955.00	25,576	24,139	63,233
5.0	956.00	36,116	30,695	93,927

**Detention Storage Elevation Calculation:**

ELEV.	VOLUME	VOLUME REQ.	ELEVATION
LOWER 955.00	63,233	76,134	955.42
HIGHER 956.00	93,927		

**Bankfull Storage Elevation Calculation:**

ELEV.	VOLUME	VOLUME REQ.	ELEVATION
LOWER 953.00	17,712	50,266	954.52
HIGHER 954.00	39,093		

**First Flush Storage Elevation Calculation:**

ELEV.	VOLUME	VOLUME REQ.	ELEVATION
LOWER 953.00	17,712	11,180	952.69
HIGHER 954.00	39,093		

**Forebay Storage Calculation:**

POND DEPTH (FT)	ELEV.	CONTOUR AREA (SF)	INCREMENTAL VOLUME (CF)	TOTAL VOLUME (CF)
BOTTOM	953.00	3,774	0	0
1.0	954.00	5,060	4,401	4,401
2.0	955.00	6,410	5,722	10,123

ELEV.	VOLUME	VOLUME REQ.	ELEVATION
LOWER 954.00	4,401	3,807	953.90
HIGHER 955.00	10,123		

Design Criteria: 10 year event (I = 175t + 25) RCP n= 0.013 HDPE n= 0.013

From MH# CB# FES#	To MH# CB# FES#	Inc. Acres	Eqv. Area 100% CA	Total Area 100% CA	T Time Min.	I Inch Per Hour	Q (CIA) c.f.s.	Dia. of pipe inch	Slope pipe %	Slope H.G. %	Length of line ft.	Vel. Flow full ft./sec.	Time of flow min.	Cap of pipe c.f.s.	H.G. Elev. upper end	Ground Elev. Upper end	Ground Elev. Lower end	Invert Elev. Upper end	Invert Elev. Lower end	
106	105	0.20	0.48	0.10	0.10	15.0	4.38	0.42	12	0.50	52	3.21	0.3	2.52	958.72	960.50	963.00	957.97	957.71	
105	104	0.00	0.00	0.10	15.3	4.35	0.42	12	0.50	0.01	62	3.21	0.3	2.52	958.31	963.00	962.00	957.61	957.30	
104	103	0.18	0.43	0.08	0.17	15.6	4.31	0.75	12	0.50	153	3.21	0.8	2.52	957.50	962.00	962.00	957.20	956.44	
110	103	0.32	0.73	0.23	0.23	15.0	4.38	1.02	12	0.50	0.08	144	3.21	0.7	2.52	957.55	963.00	962.00	957.16	956.44
103	102	0.78	0.81	0.63	1.04	16.4	4.23	4.39	18	0.50	0.17	96	4.20	0.4	7.43	957.22	962.00	961.00	956.04	955.56
102	101	0.62	0.90	0.56	1.60	16.8	4.19	6.69	18	0.50	0.41	224	4.20	0.9	7.43	956.93	961.00	959.00	955.46	954.34
120	101	1.67	0.73	1.22	1.22	15.0	4.38	5.32	12	4.80	2.23	20	9.94	0.0	7.81	956.48	956.00	959.00	956.00	955.04
101	100	0.60	0.85	0.51	3.32	17.7	4.10	13.64	30	0.15	0.11	24	3.24	0.1	15.89	956.03	959.00	953.50	953.54	953.50
955.42 Downstream HWL																				

**PROPOSED DRAINAGE AREAS - SOUTH**

"Area"	0.90 Pavement	0.90 Building	0.20 Lawn	1.00 Water	(ACRES) Area	"C" Factor
FES-120	1.09	0.17	0.41	0.00	1.67	0.73
YB-110	0.24	0.00	0.08	0.00	0.32	0.73
YB-106	0.08	0.00	0.12	0.00	0.20	0.48
YB-104	0.06	0.00	0.12	0.00	0.18	0.43
CB-103	0.57	0.11	0.10	0.00	0.78	0.81
CB-102	0.55	0.07	0.00	0.00	0.62	0.90
YB-101	0.56	0.00	0.04	0.00	0.60	0.85
Containment	0.30	0.00	0.00	0.00	0.30	0.90
South Ditch Area	1.28	0.00	5.18	0.00	6.46	0.34
Detention Area	0.00	0.00	0.79	0.22	1.01	0.37
TOTAL AREA =					12.14	ACRES
RUN-OFF COEFFICIENT =					0.51	

**100 YEAR STORM DETENTION - BASIN A**

Tributary Area (A) = 12.14 Acres  
 Compound Runoff Coefficient (C) = 0.51  
 Design Constant (K1) = A \* C = 6.16  
 Allowable Outflow Rate (Qo) = 1.21 cfs

1	2	3	4	5	6	7
Duration (Minutes)	Duration (Seconds)	Intensity (100-yr Storm) (in / hr)	Col. 2 * Col. 3 (Inches)	Inflow Volume = Col. 4 * K1 (Cubic Feet)	Outflow Volume = Col. 2 * Qo (Cubic Feet)	Storage Volume = Col. 5 - Col. 6 (Cubic Feet)
5	300	9.17	2750	16940	364	16576
10	600	7.86	4714	29040	728	28312
15	900	6.88	6188	38115	1093	37022
20	1200	6.11	7333	45173	1457	43716
30	1800	5.00	9000	55440	2185	53255
60	3600	3.24	11647	71746	4370	67376
90	5400	2.39	12913	79544	6556	72989
120	7200	1.90	13655	84116	8741	75375
180	10800	1.34	14488	89245	13111	76134
240	14400	1.04	14943	92051	17482	74570

Note: Figures in Columns (3) and (4) are computed by the formula I = 275 / (t + 25) (i.e. 100-yr Curve);

\* Allowable outflow rate Qo is computed by one of the following cases:  
 Case 1: Qo = capacity of existing discharge conduit or channel.  
 Case 2: Qo = q \* A where q = Permissible discharge rate per acre of tributary area = 0.10 cfs / Acre

**Bankfull Volume:** (8160)(A)(C) = 50266 cf  
**First Flush Volume:** (1815)(A)(C) = 11180 cf  
**Forebay Volume (5% of 100 year Volume):** = 3769 cf

**CONTROL STRUCTURE (CS-99) CALCULATIONS**

Tributary Area: A = 12.14 Acres  
 Compound Runoff Coefficient: C = 0.51  
 Orifice Flow Coefficient: c = 0.60  
 Allowable Outflow Rate: Qa = 1.21 CFS  
 100 Year Flood Volume: V100 = 76,134 CF  
 Bankfull Flood Volume: Vbf = 50,266 CF  
 First Flush Volume: Vff = 11,180 CF  
 Low Water Level: LWL = 951.00  
 First Flush Elevation: Xff = 952.69  
 Bankfull Flood Elevation: Xbf = 954.52  
 100 Year Flood Elevation: X100 = 955.42  
 (Use available high water elevation for X100)

**FIRST FLUSH:**  
 Qff = Vff \* (1 / 24 hrs) \* (1 / 3600 sec) = 0.129 CFS  
 Hff = (2 / 3) \* (Xff - LWL) = 1.13 FT  
 Aff = Qff / (c \* SQRT(2 \* 32.2 \* Hff)) = 0.0253 SF  
 Nff = Aff / 0.01227 = 2.1 1.5" Holes

Use Nff = 2 1.5" Holes at Elevation = 951.00

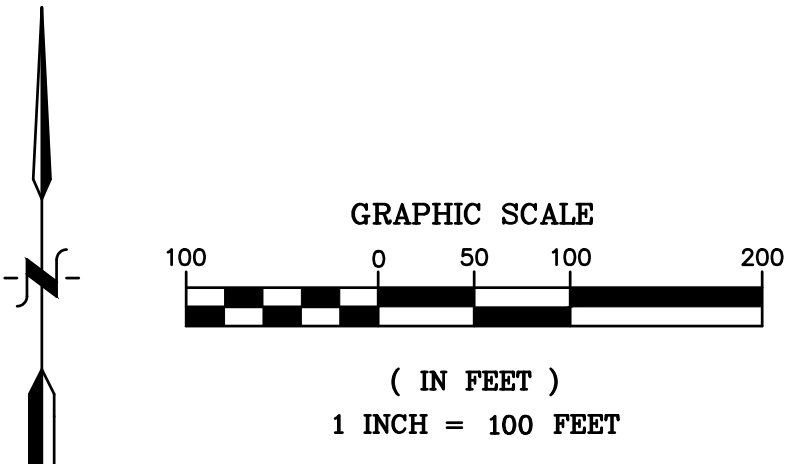
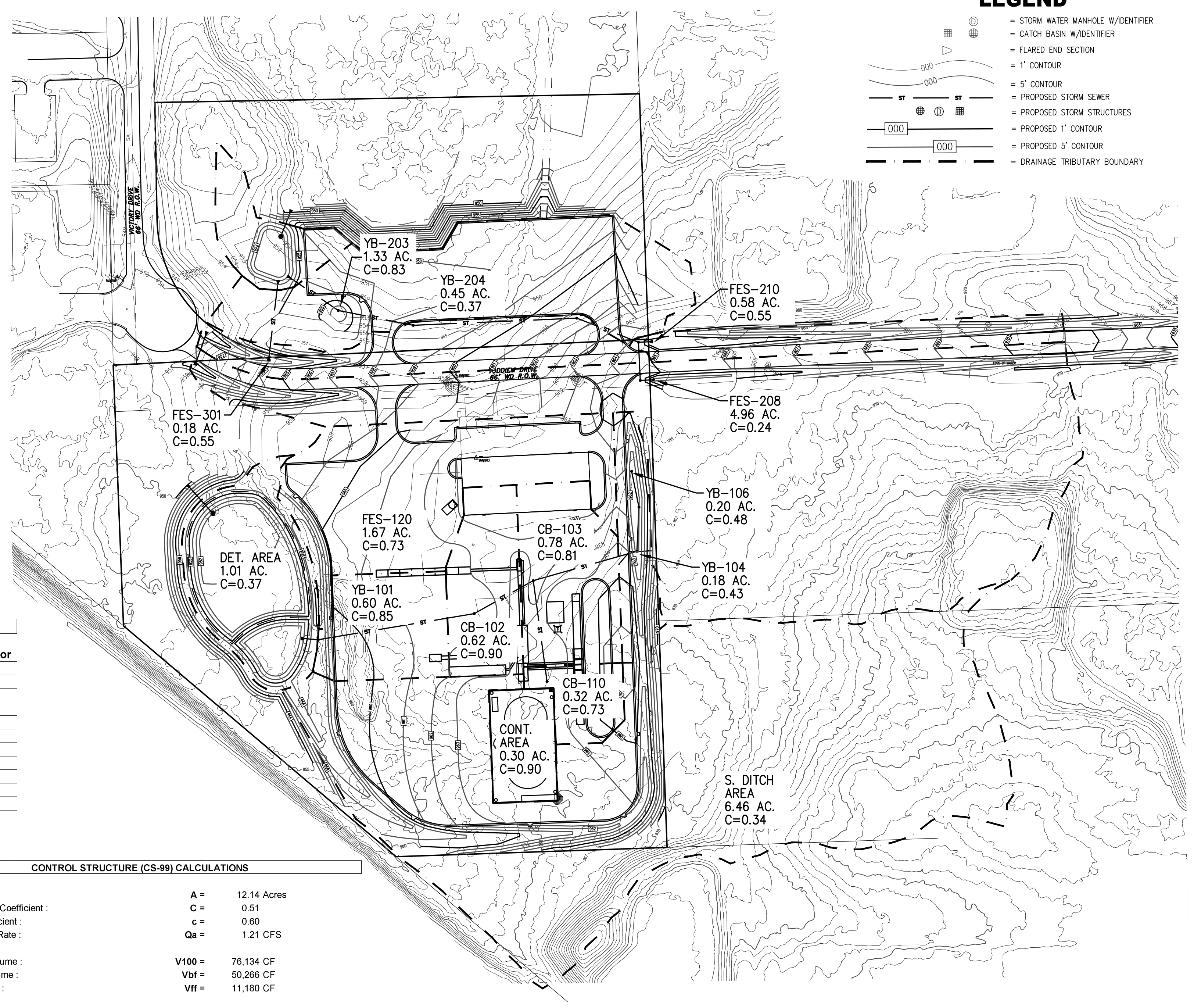
**BANKFULL FLOOD:**  
 H = (2 / 3) \* (Xbf - LWL) = 2.348 FT  
 Qbw = c \* Nff \* 0.01227 \* SQRT(2 \* 32.2 \* H) = 0.1811 CFS  
 Vprovided = Qbw \* 24 hrs \* (3600 sec / 1 hr) = 15,645 CF  
 Vneeded = Vbf - Vprovided = 34,621 CF

Qbf = Vneeded \* (1 / 16 hrs) \* (1 / 3600 sec) = 0.6011 CFS  
 Hbf = (2 / 3) \* (Xbf - Xff) = 1.22 FT  
 Abf = Qbf / (c \* SQRT(2 \* 32.2 \* Hbf)) = 0.1131 SF  
 Nbf = Abf / 0.02182 = 5.2 2.0" Holes

Use Nbf = 5 2.0" Holes at Elevation = 952.69

**100 YEAR FLOOD:**  
 Qff + Qbf = [c \* Nff \* 0.01227 \* SQRT(2 \* 32.2 \* (X100 - LWL))] + [c \* Nbf \* 0.02182 \* SQRT(2 \* 32.2 \* (X100 - Xff))] = 1.116 CFS  
 Qa - (Qff + Qbf) = 0.0983 CFS  
 H100 = HWL - Xbf = 0.90 FT  
 A100 = Q100 / (c \* SQRT(2 \* 32.2 \* H100)) = 0.0215 SF  
 N100 = A100 / 0.0218 = 1.0 2.0" Holes

Use N100 = 1 2.0" Holes at Elevation = 954.61

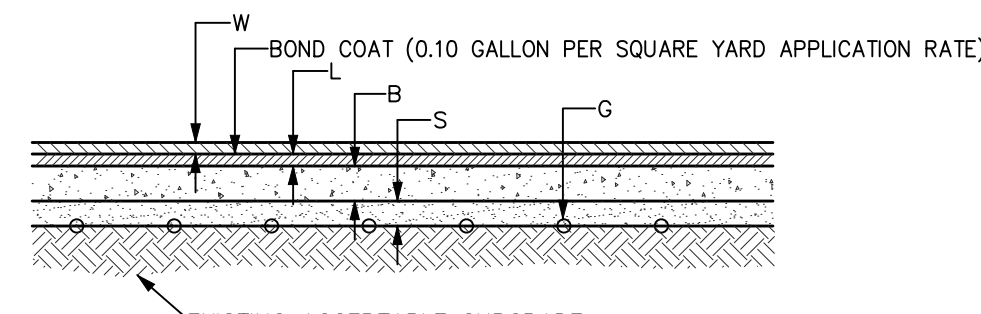


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 FINISH FLOOR ELEVATION IN OFFICE ENTRANCE, LOCATED NEAR THE NORTHWEST CORNER OF #3080 TODDIEM. ELEVATION = 963.47 (NAVD 88)  
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 ARROW ON HYDRANT, LOCATED NEAR THE NWLY QUAD OF THE INTERSECTION OF GRAND OAK RD AND TODDIEM DR. ELEVATION = 957.77 (NAVD 88)

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 OR VISIT CALL811.COM

**DESIGN INC.**





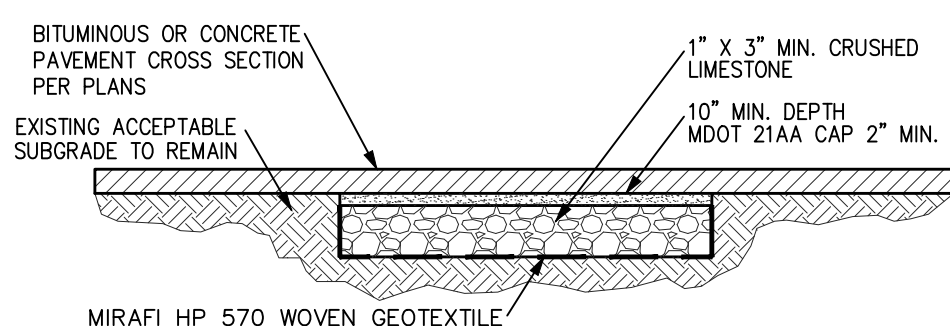
### HEAVY DUTY BITUMINOUS PAVEMENT CROSS SECTION

NOT TO SCALE

KEY	DESCRIPTION	MATERIAL SPECIFICATION	MINIMUM COMPACTED THICKNESS
W	WEARING COURSE	MDOT 36A	1.5"
L	LEVELING COURSE	MDOT 13A	4"
B	AGGREGATE BASE	MDOT 22A	8"
S	GRANULAR SUBBASE	MDOT CLASS II	6"
G	GEORID	N/A	N/A

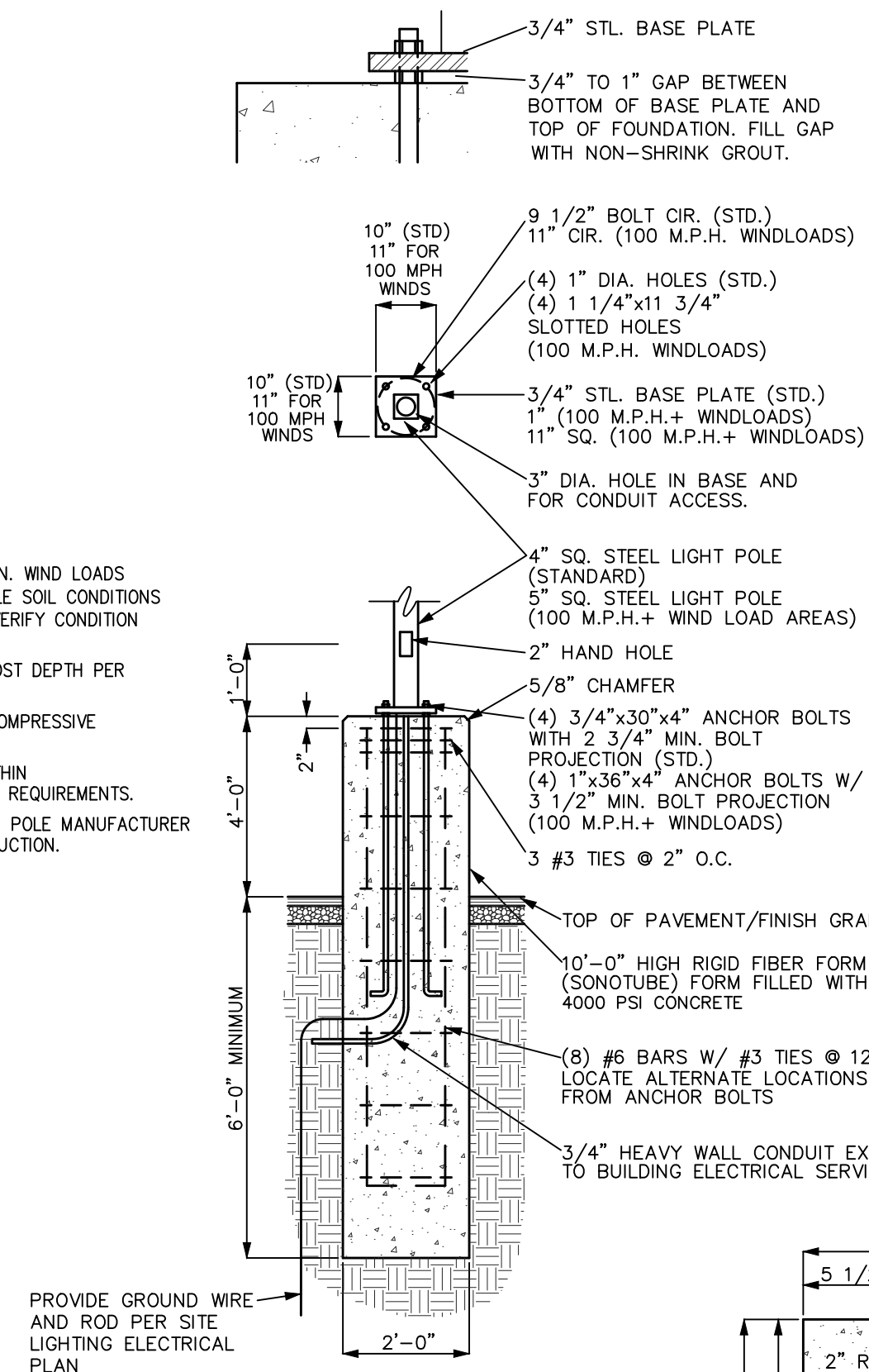
#### BITUMINOUS PAVEMENT CROSS SECTION NOTES:

- The construction specifications of the Local Municipality are a part of this work. Refer to the General Notes and the Bituminous Pavement Cross Section Details on the Project Plans for additional requirements. Construction of the bituminous pavement cross section is subject to inspection by the ALDI Representative and/or Project Engineer. The Contractor shall be responsible for contacting the ALDI Representative at each stage of construction of the bituminous pavement cross section to schedule the necessary inspections.
- The Geotechnical Evaluation Report for the project site is a part of this work. The General Contractor, Earthwork Subcontractor, and Bituminous Pavement Subcontractor shall obtain, review, and become familiar with the Geotechnical Evaluation Report.
- The bituminous pavement cross section specifications are based on typical weather conditions during the June through September Construction Season. If the bituminous parking area and/or bituminous driveways are to be constructed during any other time of the year and/or if weather conditions are unseasonably wet, then modifications to the bituminous pavement cross section specifications may be necessary. If either of these conditions exists, then contact the Material Testing Engineer and/or the Project Engineer for additional requirements.
- The existing subgrade soils shall be prepared in accordance with the Geotechnical Evaluation Report. Unsuitable soils found within the 1 on 1 influence zone of the proposed pavement areas, such as muck, peat, topsoil, marl, silt or other unstable materials shall be excavated and replaced with structural fill. Structural fill shall be MDOT Class II granular material placed in accordance with the General Notes on the Project Plans and the Geotechnical Evaluation Report.
- The bituminous pavement subgrade shall be prepared and proof rolled in accordance with the Geotechnical Evaluation Report. The Material Testing Engineer and/or the Project Engineer shall observe the subgrade proof roll. Areas of subgrade that do not pass a proof roll inspection shall be undercut in accordance with the Subgrade Undercut Notes and Details on the Project Plans. Alternative means of subgrade stabilization may be considered when recommended by the Material Testing Engineer. Alternative methods shall not be performed without receipt of the Owner's Authorization.
- The bituminous pavement granular subbase material shall be MDOT Class II sand. No granular subbase material substitutions shall be permitted without prior written approval of the Project Engineer and receipt of the Owner's Authorization. The granular subbase shall be compacted to a minimum of 95% of the maximum unit weight, Modified Proctor.
- The bituminous pavement aggregate base material shall be MDOT 21AA crushed angular limestone or crushed angular natural stone aggregate material. Crushed concrete shall NOT be utilized for the standard or heavy duty bituminous pavement aggregate base. No aggregate base material substitutions shall be permitted without prior written approval of the Project Engineer and receipt of the Owner's Authorization. The aggregate base shall be compacted to a minimum of 95% of the maximum unit weight, Modified Proctor.
- The bituminous pavement leveling course material shall be MDOT 13A bituminous material placed in 1 lift. The bituminous pavement wearing course material shall be MDOT 4E3 bituminous material placed in 1 lift. The bituminous pavement leveling and wearing courses shall NOT be combined into a single course. No bituminous material substitutions shall be permitted without prior written approval of the Project Engineer and receipt of the Owner's Authorization. Compaction of the leveling course shall be achieved prior to placement of the wearing course. Any sediment, soil, debris and other foreign materials that accumulate on the leveling course shall be removed prior to placement of the wearing course. The bond coat shall be sprayed on the leveling course within 24 hours of placement of the wearing course. The bituminous pavement material shall be compacted to a minimum of 95% of the 50-blow Marshall Density.
- Placement of the bituminous pavement leveling course and bituminous pavement wearing course shall be performed in two separate mobilizations. Placement of the bituminous pavement wearing course shall be postponed as directed by the General Contractor and/or the Owner until the majority of the construction activities are complete. Repair of the bituminous leveling course may be necessary due to construction traffic and/or any delay in placement of the bituminous wearing course. The bituminous leveling course shall be repaired as directed by Material Testing Engineer and/or Owner prior to placement of the bituminous wearing course.
- Bituminous mix designs shall be developed in accordance with the MDOT HMA Production Manual. The Contractor shall submit the bituminous pavement mix designs to the Material Testing Engineer for review and approval a minimum of 3 business days prior to use. Bituminous pavement work shall not commence without receipt of the Material Testing Engineer's approval of the bituminous mix designs. The bituminous pavement mix design shall be a virgin mix. RAP mixtures shall not be utilized without prior written approval of the Material Testing Engineer and receipt of the Owner's authorization. RAP mixtures, if authorized, shall be designed and produced in accordance with MDOT Tier I or Tier II RAP Mixture Specifications. In no instance shall MDOT Tier III or non-MDOT RAP mixtures be permitted or utilized.



### SUBGRADE UNDERCUT AND REPLACEMENT CROSS-SECTION

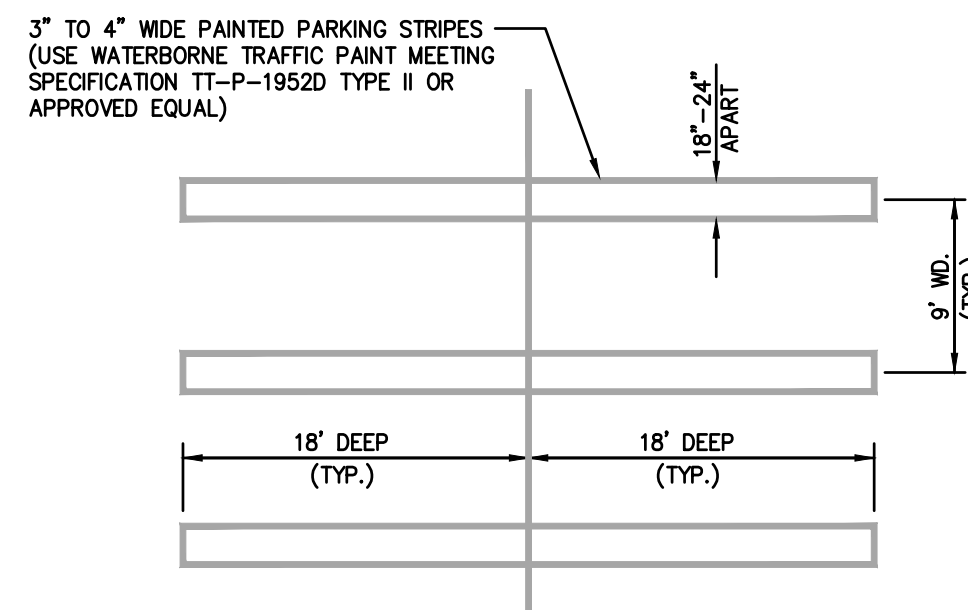
NOT TO SCALE



### LIGHT POLE BASE STANDARD DETAIL

NOT TO SCALE

- NOTES:
- SEE SHEET C2.0 FOR BARRIER FREE PARKING SPACE DIMENSIONS.
  - STANDARD SPACES SHALL USE WHITE PAINT, BARRIER FREE SPACES SHALL USE BLUE PAINT.

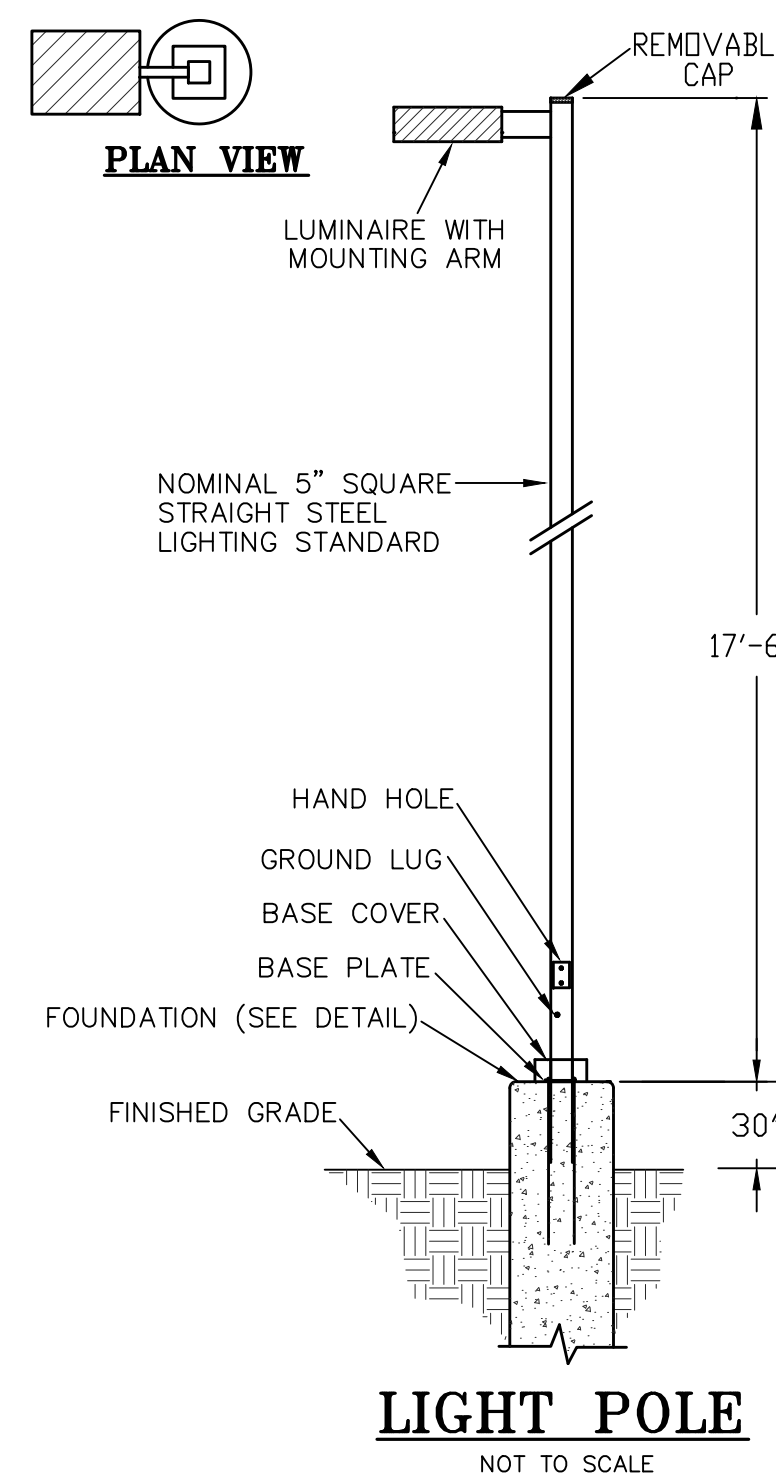


### PARKING SPACE STRIPING DETAIL

NOT TO SCALE

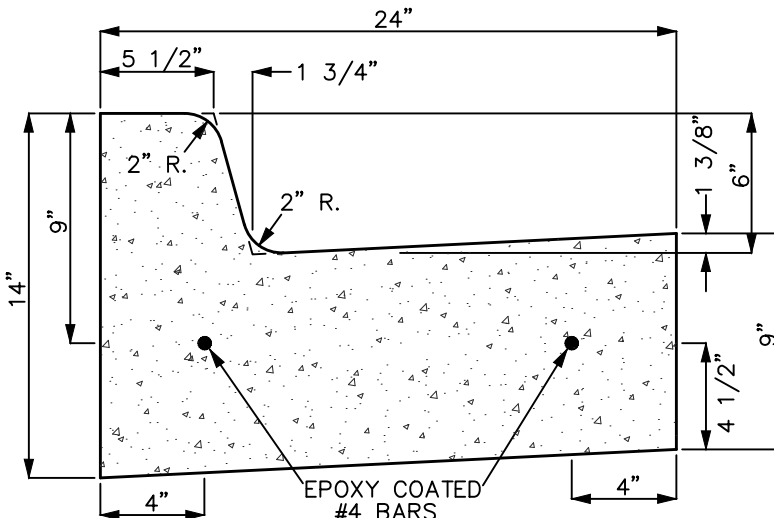
#### PAVEMENT SUBGRADE UNDERCUT NOTES:

- Areas of pavement subgrade that do not pass a proof roll inspection shall be undercut when directed by the Material Testing Engineer and/or Project Engineer. All undercut work shall be witnessed and field measured by the Material Testing Engineer and/or Project Engineer. Copies of the field notes depicting the field measurements of the undercut areas shall be provided to the General Contractor and/or Earthwork Subcontractor and ALDI Inc.
- Undercut areas shall be excavated to a depth of 12" below the proposed subgrade elevation using an Excavator or Backhoe with a Smooth Edged Ditching Bucket so as not to scarify the underlying soils. Undercut areas shall remain free of all construction traffic and equipment to avoid rutting and/or tracking of the underlying soils.
- Mirafi HP 570 Woven Geotextile Fabric (or approved equal) shall be placed over all undercut areas per the Manufacturer's specifications. Overlap all seams a minimum of 12" unless specified otherwise by the Manufacturer.
- Backfill the undercut areas with 1" x 3" minimum size crushed angular limestone up to the proposed subgrade elevation. Crushed concrete material shall NOT be substituted for crushed limestone material. The backfill material shall be spread with a Wide Track Dozer to minimize loading on the underlying soils. Static roll the backfill material with a large smooth drum roller.
- Construct the appropriate Bituminous or Concrete Pavement Cross Section over the undercut areas per the Project Plans.
- The General Contractor and/or Earthwork Subcontractor shall provide ALDI Ine with unit pricing to perform subgrade undercut work per square yard (SY) of undercut area. Undercut Unit Pricing SHALL include excavation, loading, hauling and offsite disposal of excess spoils, placement of geotextile fabric and backfill including all labor, equipment and materials necessary to complete pavement subgrade undercut work as specified on the Project Plans.



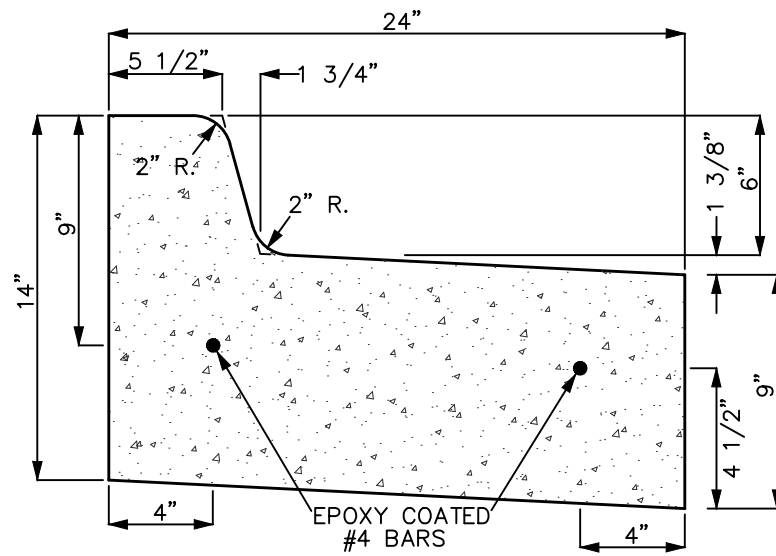
### LIGHT POLE

NOT TO SCALE



### MDOT TYPE F4 CURB

NOT TO SCALE

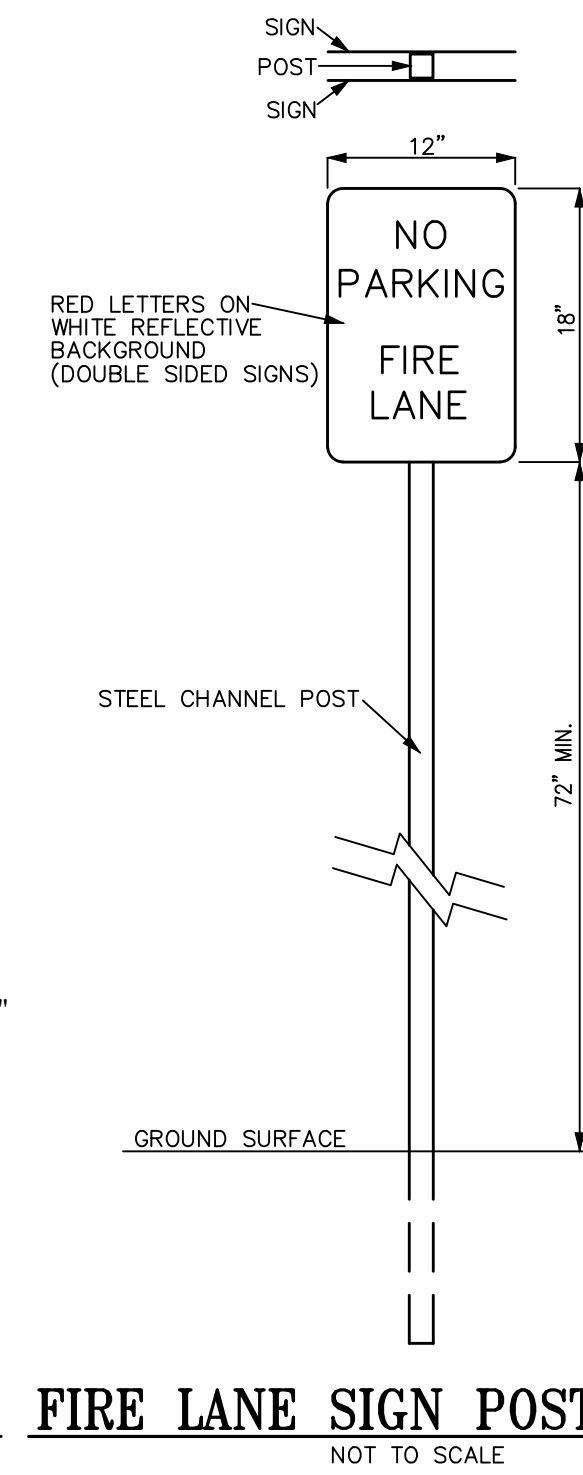


### MDOT TYPE F4 CURB REVERSE PITCH

NOT TO SCALE

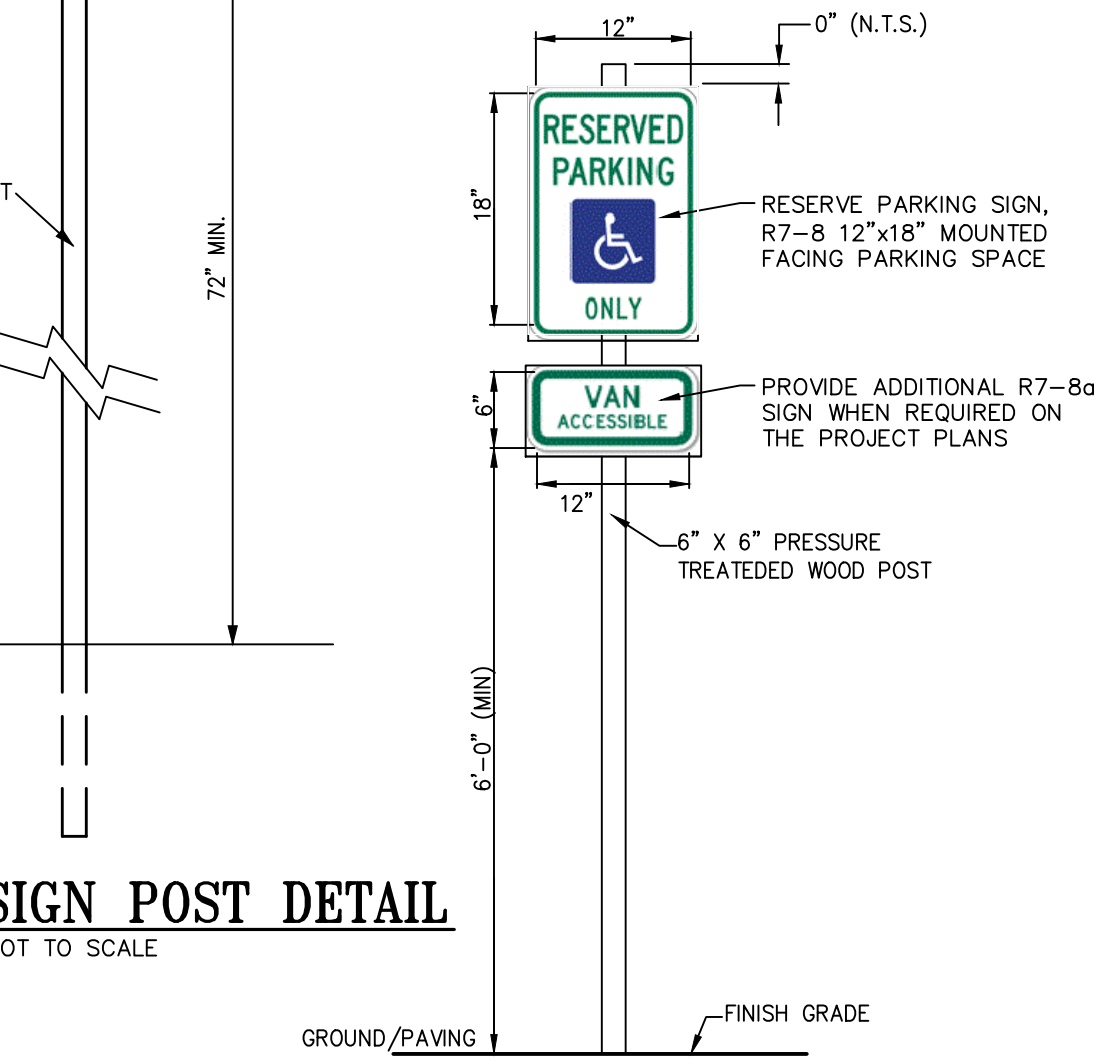
#### CONCRETE CURB NOTES:

- Refer to the project plans for the proposed locations of the specific curb types.
- The construction specifications of the appropriate Local Municipality are a part of this work. Refer to the General Notes and Curb Cross Section Details on the project plans for additional requirements.
- Extend the base and/or subbase material of the appropriate adjacent pavement cross-section horizontally to 1 foot behind the back of the curb. Concrete curb shall be constructed on no less than 6" of combined depth of compacted base/subbase material.
- Concrete material shall be MDOT P1 (I-A) 6.0 sack concrete pavement mixture with a minimum 28 day design compressive strength of 4,000 PSI and 6.5% (+/-1.5%) entrained air. Contractor shall submit concrete mix design and aggregate mechanical analysis report to the Local Municipality and Engineer for review and approval prior to use.
- Install transverse contraction control joints in concrete curb with 1" minimum depth at 10' on center. Tool joints in fresh concrete or saw cut within 8 hours.
- Install transverse expansion control joints in concrete curb as follows: 400' maximum on center, at spring points of intersecting streets and within 10' on each side of catch basins. Transverse expansion control joints shall be 1" thick asphalt fiber joint filler matching entire curb cross section.
- Provide 1" asphalt fiber control joint between back of curb and all other concrete structures, such as concrete sidewalks and concrete driveways.
- Curb Contractor shall provide final adjustment of catch basin castings in curb line. Castings shall be tucked pointed to structure water tight with concrete or mortar inside and outside of casting.
- Install curb cuts for all existing and proposed sidewalks and pedestrian ramps in accordance with the American Disabilities Act and the Barrier Free Design requirements of the appropriate Local, County and/or State Agency. Refer to MDOT Standard Plan R-28, latest revision. Install curb cuts for all existing and proposed vehicular ramps and drives as noted on the project plans.



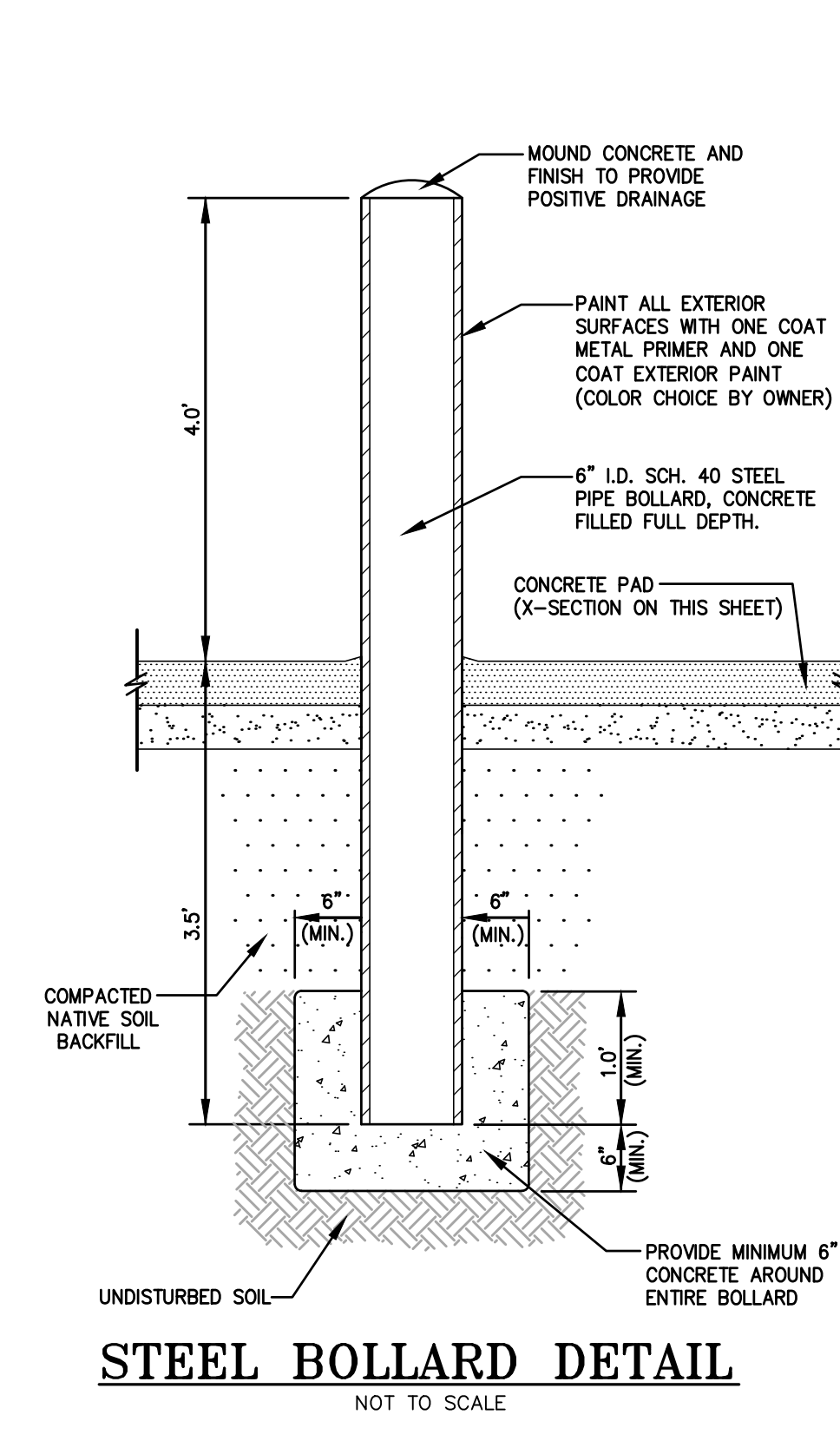
### FIRE LANE SIGN POST DETAIL

NOT TO SCALE



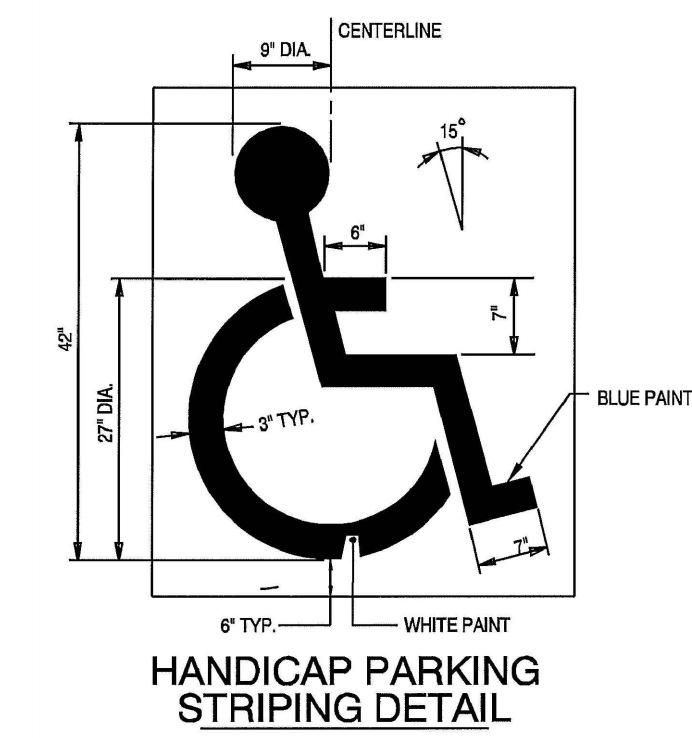
### BARRIER FREE PARKING SIGN DETAIL

NOT TO SCALE



### STEEL BOLLARD DETAIL

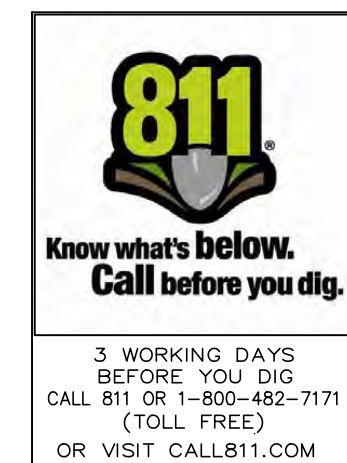
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### HANDICAP PARKING STRIPING DETAIL

#### GENERAL NOTES:

- Contractor shall perform the work in accordance with the requirements of the appropriate Local, County and State Agencies and all other Government and Regulatory Agencies with jurisdiction over the project. Contractor shall notify the appropriate Agencies in advance of each stage of work in accordance with each Agency's requirements.
- Contractor shall comply with all permit, insurance, licensing and inspection requirements associated with the work. Prior to construction, Contractor and Owner/Developer shall determine who is responsible for obtaining each required permit. Contractor shall verify that the each required permit has been obtained prior to commencement of the stage of work associated with the required permit(s).
- Contractor shall furnish liability insurance and property damage insurance to save harmless the Owner, Developer, Architect, Engineer, Surveyor and Government Agencies for any accident occurring during the construction period. Refer to the appropriate Local, County and State Agencies for additional requirements. Copies of insurance certifications shall be made available to the Owner/Developer.
- Contractor shall conduct and perform work in a safe and competent manner. Contractor shall perform all necessary measures to provide for traffic and pedestrian safety from the start of work and through substantial completion. Contractor shall determine procedures and provide safety equipment such as traffic controls, warning devices, temporary pavement markings and signs as needed. Contractor shall comply with the safety standards of the State Department of Labor, the occupational health standards of the State Department of Health and safety regulations of the appropriate Local, County, State and Federal Agencies. Refer to the safety specifications of the appropriate Regulatory Agencies. The Contractor shall designate a qualified employee with complete job site authority over the work and safety precautions; said designated employee shall be on site at all times during the work.
- Contractor shall coordinate scheduling of all work in the proper sequence, including work by Subcontractors. Additional costs due to improper planning by Contractor or work done out of sequence as determined by standard acceptable construction practices, shall be Contractor's responsibility.
- Contractor shall contact the 811 Underground Public Utility Locating System or other appropriate local underground utility locating Agency, a minimum of three (3) working days prior to construction. Existing utility information on the project plans may be from information disclosed to this firm by the Utility Companies, Local, County or State Agencies, and/or various other sources. No guarantee is given as to the completeness or accuracy thereof. Prior to construction, locations and depths of all existing utilities (in possible conflict with the proposed improvements) shall be verified in the field.
- Contractor shall coordinate scheduling a Pre-Construction Meeting with Engineer prior to commencement of work.
- The Local Municipality, County and/or State in which the project is located may require an Engineer's Certification of construction of the proposed site improvements. Contractor shall verify the certification requirements with Engineer prior to commencement of work. Contractor shall coordinate construction staking, testing, documentation submittal and observation with the appropriate Agency, Surveyor and/or Engineer as required for Engineer's Certification and Government Agency Acceptance. All materials used and work done shall meet or exceed the requirements of certification and acceptance, the contract documents and the material specifications noted on the project plans. Any materials used or work done that does not meet said requirements, contract documents and/or specifications shall be replaced and/or redone at Contractor's expense. The Owner/Developer may wait for test results, certifications and/or Agency reviews prior to accepting work.
- Engineer may provide subsurface soil evaluation results, if available, to Contractor upon request. Subsurface soil evaluation results, soils maps and/or any other documentation does NOT guarantee existing soil conditions that sufficient, acceptable on-site granular material is available for use as structural fill, pipe bedding, pipe backfill, road subbase or use as any other granular material specified on the project plans. On-site granular material that meets or exceeds the material specifications noted on the project plans may be used as structural fill, pipe bedding, pipe backfill and/or road subbase material. On-site granular material shall be stockpiled and tested as acceptable to the appropriate Agency and/or Engineer prior to use.
- During the performance of their work, Contractor shall be solely responsible for determining soil conditions and appropriate construction methods based on the actual field conditions. Contractor shall furnish, install and maintain sheeting, shoring, bracing and/or other tools and equipment and/or construction techniques as needed for the safety and protection of the workers, pedestrians and vehicular traffic and for protection of adjacent structures and site improvements.
- Contractor shall install temporary and permanent soil erosion and sedimentation control devices at the appropriate stages of construction in accordance with the appropriate regulatory Agencies. Refer to Soil Erosion and Sedimentation Control Plans and Notes on the project plans.
- Structural fill shall be placed as specified on the project plans and within the 1 on 1 influence zone of all structures, paved areas and other areas subject to vehicular traffic. Structural fill shall be placed using the controlled density method (12" maximum lifts, compacted to 95% maximum unit weight, modified proctor). Fill material shall meet or exceed the specifications noted on the project plans or as directed by Engineer when not specified on the project plans.
- All existing monuments, property corners, ground control and benchmarks shall be protected and preserved; and if disturbed by Contractor, shall be restored at Contractor's expense. Contractor shall notify Surveyor of any conflicts between existing monuments, property corners, ground control and/or benchmarks and the proposed site improvements.
- Contractor shall notify Owner/Developer and Engineer immediately upon encountering any field conditions, which are inconsistent with the project plans and/or specifications.
- When noted on the project plans for demolition and/or removal, Contractor shall remove existing structures, building and debris and recycle and/or dispose of in accordance with Local, County, State and Federal regulations.
- Contractor shall remove excess construction materials and debris from site and perform restoration in accordance with the project plans and specifications. Disposing of excess materials and debris shall be performed in accordance with Local, County, State and Federal regulations.
- Construction access to the site shall be located as acceptable to the Owner/Developer and to the appropriate Local, County and/or State Agency with jurisdiction over the road(s) providing access to the site. Construction access shall be maintained and cleaned in accordance with the appropriate Local, County and/or State Agencies and as directed by Owner/Developer and/or Engineer.
- Contractor shall take necessary precautions to protect all site improvements from heavy equipment and construction procedures. Damage resulting from Contractor actions shall be repaired at Contractor's expense.



DESIGN: WMP	REVISION #	DATE	REVISION-DESCRIPTION
DRAFT: L.F.	1	09-21-21	REVISED PER REVIEW COMMENTS
CHECK: WMP			

REVISION #	DATE	REVISION-DESCRIPTION

TODDIEM-VICTORY DRIVE PID

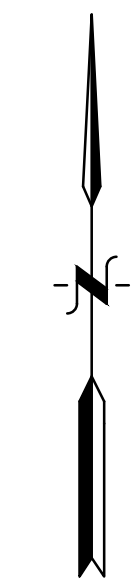
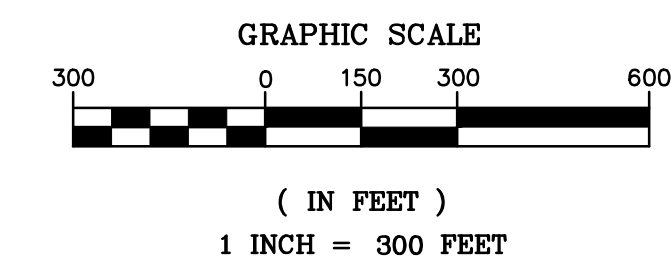
SITE IMPROVEMENT NOTES & DETAILS

CLIENT:  
Net Lease Associates North, LLC  
Net Lease Associates South, LLC  
3888 S. CANAL ROAD  
LANSING, MICHIGAN  
(517) 322-0800

SCALE: N/A  
PROJECT No.: 9214101  
DWG NAME: 4101-DT  
ISSUED: SEPT. 21, 2021

DT1





LEGEND:  
 PRIMARY TRUCK ACCESS ROUTE  
 SECONDARY TRUCK ACCESS ROUTE  
 (FOR LOCAL AREA TRAFFIC ONLY)

**DESIGN INC**  
 (810) 227-9533  
 CIVIL ENGINEERS  
 LAND SURVEYORS  
 2183 PLESS DRIVE  
 BRIGHTON, MICHIGAN 48114

DESIGN: WMP	REVISION #	DATE	REVISION-DESCRIPTION	REVISION #	DATE	REVISION-DESCRIPTION
DRAFT: L.F.						
CHECK: WMP						

TODDIEM-VICTORY  
 DRIVE PID

TRANSPORTATION PLAN

CLIENT:  
 Net Lease Associates North, LLC  
 & Net Lease Associates South, LLC  
 3888 S. CANAL ROAD  
 LANSING, MICHIGAN  
 517-322-0800

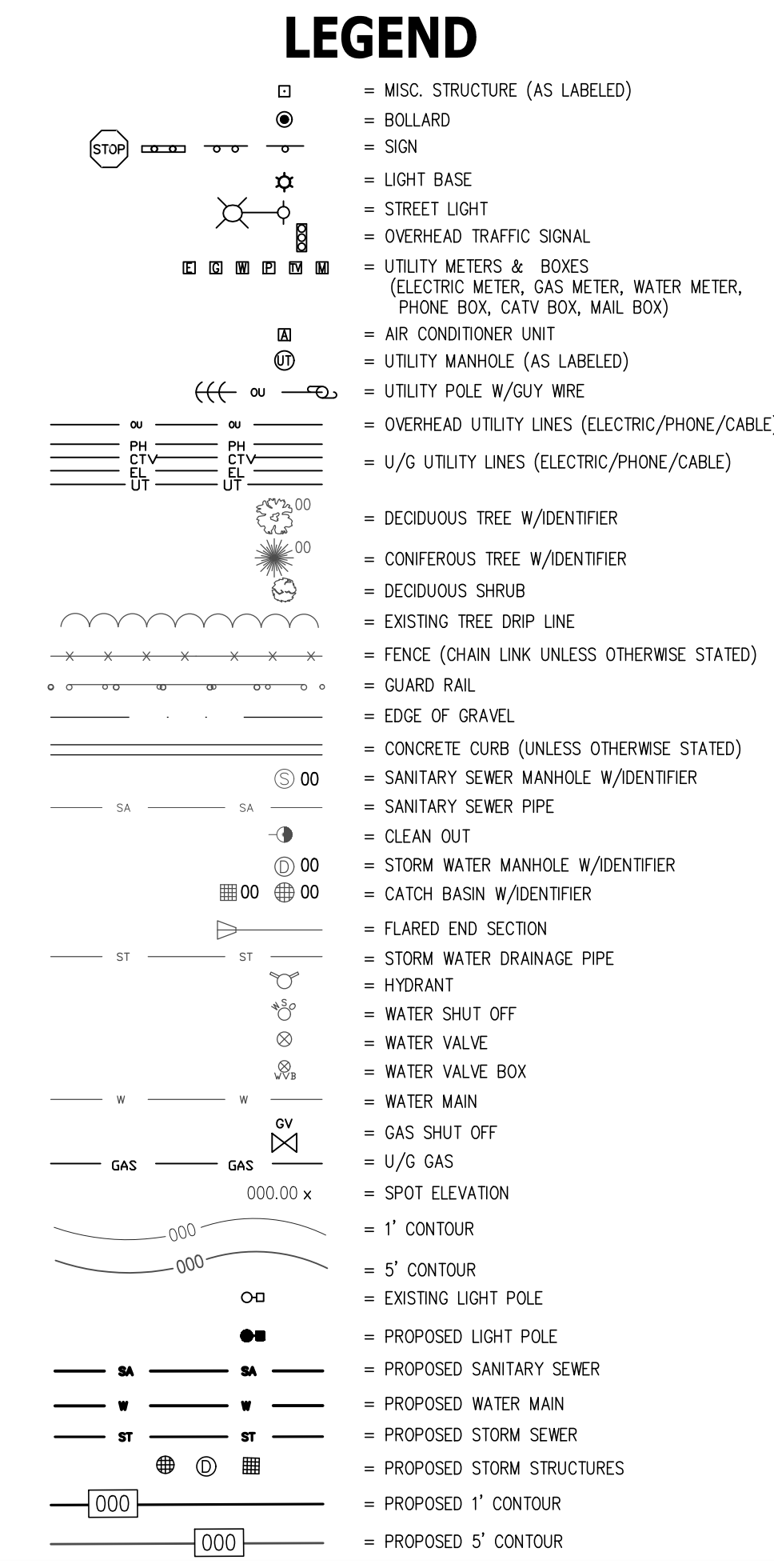
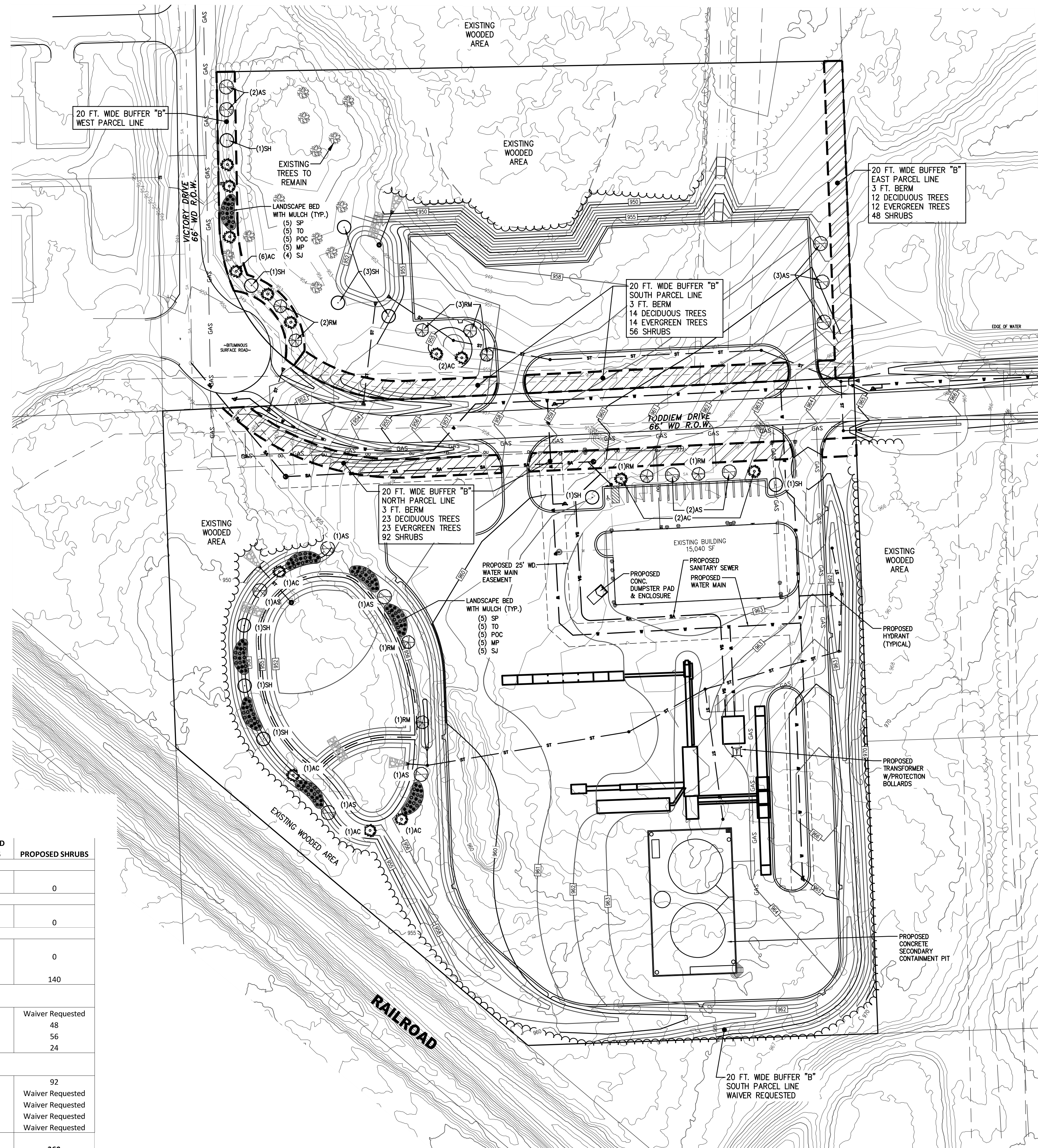
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 PROJECT No.: 9214101  
 DWG NAME: 4101-T  
 ISSUED: **SEPT. 21, 2021**

**T**



**LANDSCAPING NOTES:**

- All minimum planting sizes specified on the Project Plans shall be at the time of planting.
- All landscape materials shall be as specified on the Project Plans or approved equal. Substitutions shall not be made without prior written approval from the Project Engineer and receipt of the Owner's Authorization.
- All plant material shall be free of disease and insects and shall conform to the American Standard of Nursery Stock of the American Association of Nurserymen.
- All landscape plantings shall be planted and maintained in a healthy condition and shall be guaranteed by the Landscape Contractor and/or Supplier for a minimum period of 1 year from the time of planting. Any plantings that die or become diseased during the guarantee period shall be removed and replaced by the Landscape Contractor and/or Supplier at no cost to the Owner.
- Excavations for container or balled plantings shall be no deeper than the root ball or container and shall be at least twice the diameter of the root ball or container.
- Excavations for bare root plantings shall be no deeper than the longest roots and shall be at least twice the diameter of the root spread.
- The sides of planting excavations in heavy and/or wet soils shall be scarified with a fork, pick or shovel to eliminate glazing.
- Landscape planting backfill shall consist of a prepared mixture of peat moss, composted manure and topsoil or suitable excavated native soil material mixed with the appropriate soil conditioners that are compatible with the native soil and plant species. The type and mixture ratio of soil conditioners shall be in accordance with the Landscape Supplier's recommendations.
- The Landscape Contractor shall stake and reinforce all trees to prevent wind damage. The Landscape Contractor shall remove all tree reinforcement and stakes upon expiration of the guarantee period.

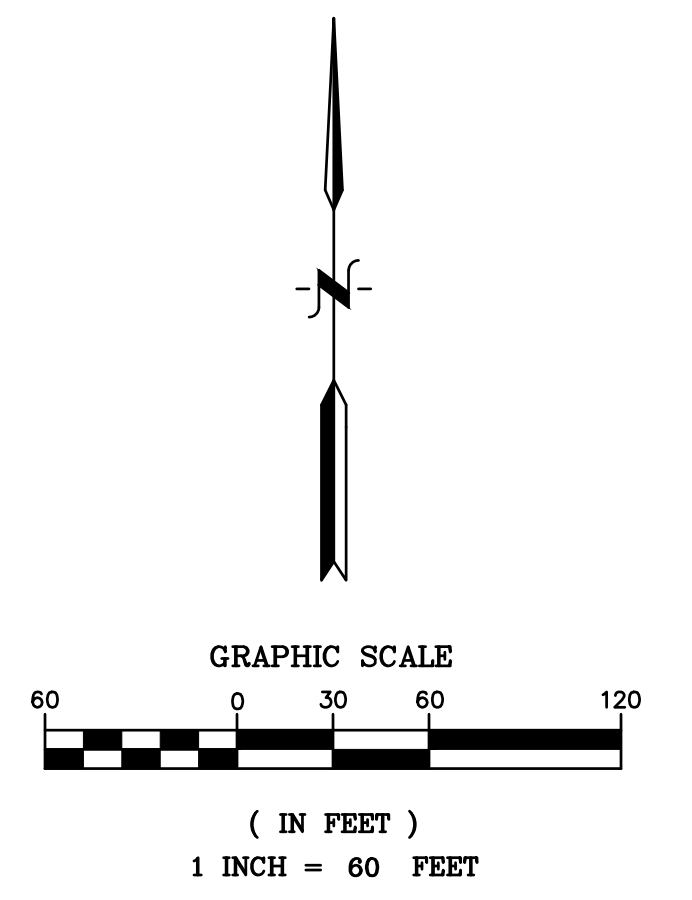


**PROPOSED LANDSCAPE PLANTING LEGEND**

KEY	QUANTITY	BOTANICAL NAME	COMMON NAME	MINIMUM SIZE	ROOT
DECIDUOUS TREES					
RM	25	<i>Acer rubrum</i>	Red maple	2.5" Caliper	B & B
AS	29	<i>Acer s. 'Green Mountain'</i>	Green Mountain Sugar Maple	2.5" Caliper	B & B
SH	26	<i>Gleditsia 'Triacanthos 'Sunburst'</i>	Sunburst Honey Locust	2.5" Caliper	B & B
EVERGREEN TREES					
AC	63	<i>Abies Concolor</i>	Concolor Fir	4' Height	B & B
DECIDUOUS SHRUBS					
SP	72	<i>Syringa p. 'Miss Kim'</i>	Miss Kim Dwarf Korean Lilac	24" Height	Container
TO	72	<i>Thuja occidentalis 'Nigra'</i>	Dark Green Arborvitae	24" Height	Container
POC	72	<i>Physocarpus o. 'Coppertina'</i>	Coppertina Ninebark	24" Height	Container
MP	72	<i>Myrica pennsylvanica</i>	Northern Bayberry	24" Height	Container
SJ	72	<i>Spirea japonica 'Neon Flash'</i>	Neon Flash Spirea	24" Height	Container

**TODDIEM-VICTORY DRIVE PID LANDSCAPE CALCULATIONS**

CATEGORY / CALCULATION	REQUIRED TREES	EXISTING TREES	PROPOSED TREES	REQUIRED SHRUBS	PROPOSED SHRUBS
<b>PARKING AREA (SOUTH OF TODDIEM DRIVE)</b>					
1 TREE per 2,000 sq. ft. PAVED PARKING					
15,665 sq.ft. / 2,000 =	8	0	8	0	0
<b>PARKING AREA (NORTH OF TODDIEM DRIVE)</b>					
1 TREE per 2,000 sq. ft. PAVED PARKING					
21,040 sq.ft. / 2,000 =	11	0	11	0	0
<b>DETENTION BASIN "A"</b>					
1 TREE PER 50 LF OF BASIN PERIMETER					
696.4 lf / 50 =	14	0	14	0	0
10 SHRUBS PER 50 LF OF BASIN PERIMETER					
696.4 lf (10 / 50) =	0	0	0	140	140
<b>NORTH PARCEL - BOUNDARY BUFFER ZONE B</b>					
1 canopy tree, 1 evergreen & 4 shrubs per 30 LF.					
North parcel line (686.67 / 30 = 23)	46		Waiver Requested	92	Waiver Requested
East parcel line (347.67 / 30 = 12)	24	0	24	48	48
South parcel line (490.29 - 70 / 30 = 14)	28	0	28	56	56
West parcel line (165.97 / 30 = 6)	12	0	12	24	24
<b>SOUTH PARCEL - BOUNDARY BUFFER ZONE B</b>					
1 canopy tree, 1 evergreen & 4 shrubs per 30 LF.					
North parcel line (759.32 - 70 / 30 = 23)	46	0	46	92	92
East parcel line (720.64 / 30 = 24)	48		Waiver Requested	96	Waiver Requested
South parcel line (384.26 / 30 = 13)	26		Waiver Requested	52	Waiver Requested
West parcel line (369.60 / 30 = 13)	26		Waiver Requested	52	Waiver Requested
Southwest parcel line (506.18 / 30 = 17)	34		Waiver Requested	68	Waiver Requested
<b>TOTALS =</b>	<b>323</b>	<b>0</b>	<b>143</b>	<b>720</b>	<b>360</b>



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**DESIGN INC.**  
(810) 227-9533  
CIVIL ENGINEERS  
LAND SURVEYORS  
2183 PLESS DRIVE  
BRIGHTON, MICHIGAN 48114

DESIGN: WMP	REVISION #	DATE	REVISION-DESCRIPTION	REVISION #	DATE	REVISION-DESCRIPTION
DRAFT: L.F.	1	09-21-21	REVISED PER REVIEW COMMENTS			
CHECK: WMP						

**TODDIEM-VICTORY DRIVE PID**

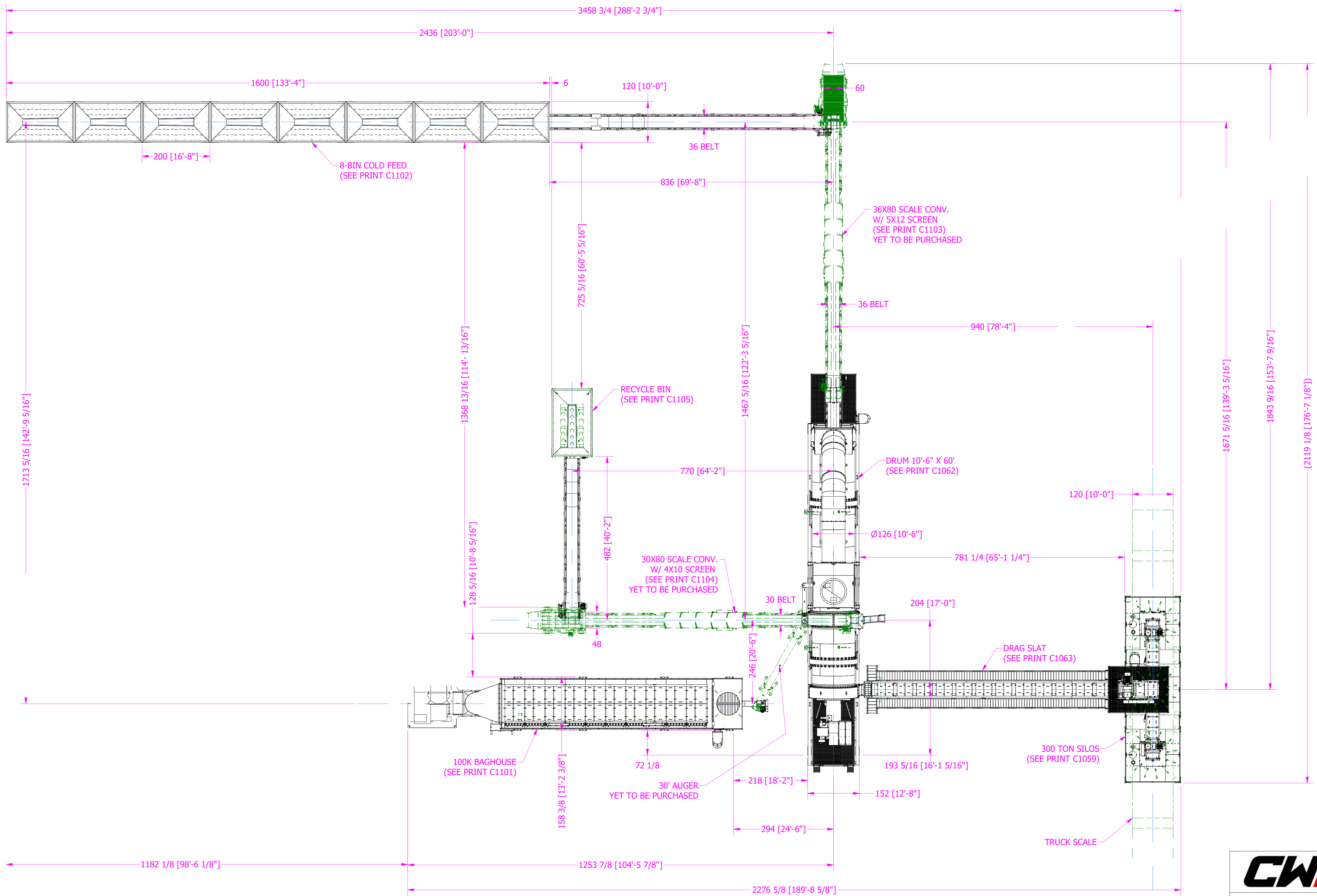
**LANDSCAPE PLAN**

CLIENT:  
Net Lease Associates North, LLC  
Net Lease Associates South, LLC  
3888 S. CANAL ROAD  
LANSING, MICHIGAN  
517-322-0800

SCALE: 1"=60'  
PROJECT No.: 9214101  
DWG NAME: 4101-LA  
ISSUED: SEPT. 21, 2021

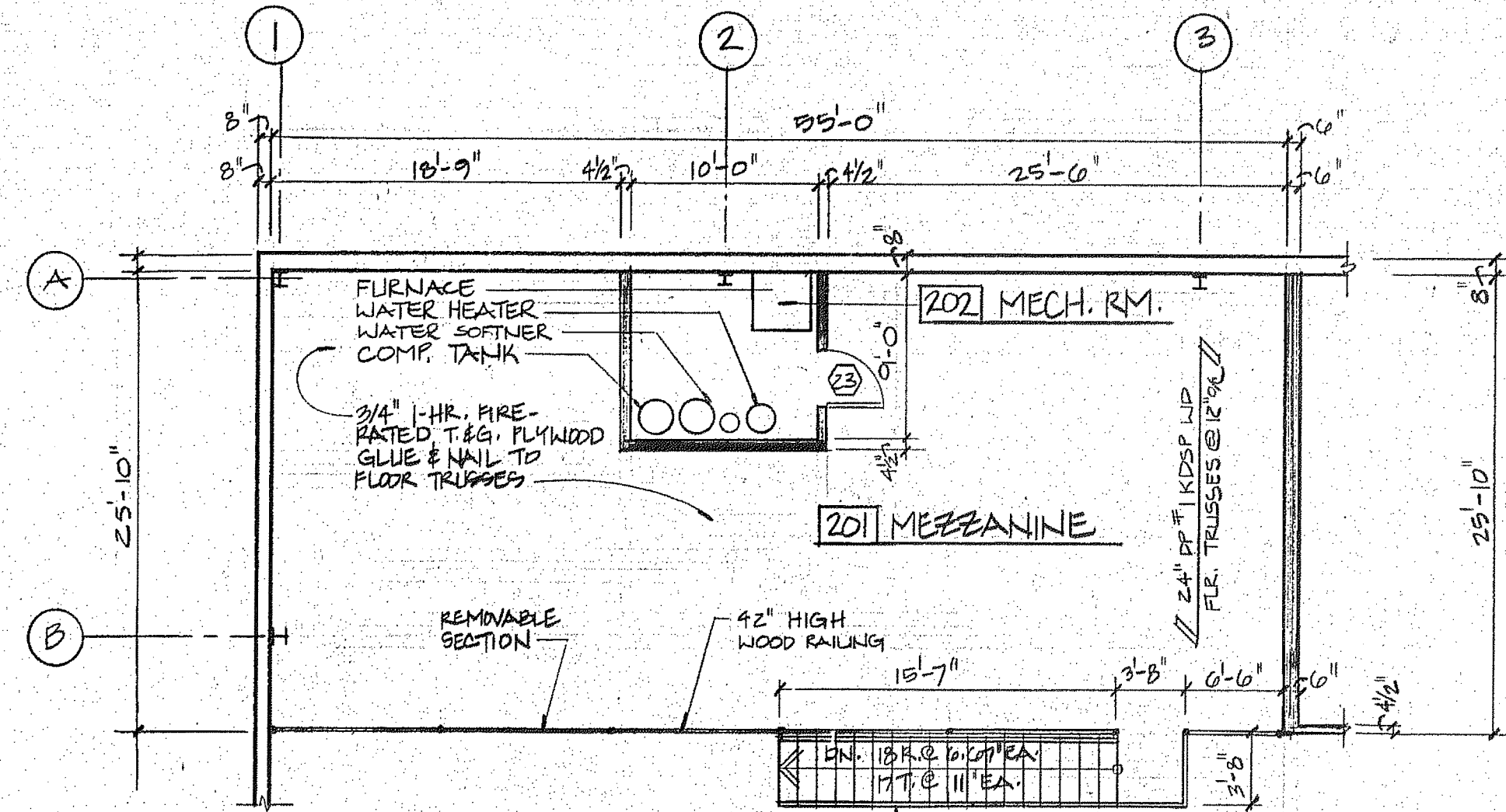
**LA**





		<b>CWMF CORPORATION</b> 701 JULEP ROAD WAITE PARK, MN 56387-1863 PHONE (320) 251-1306	
		DESCRIPTION <b>STATIONARY PLANT 500 TPH LAYOUT</b> CAPITAL ASPHALT	
TOLERANCES UNLESS OTHERWISE SPECIFIED FABRICATING: ± 1/16" MACHINING: ± 0.015" FRACTION: ± 1/16" ANGLE: ± 1/2° DO NOT SCALE DRAWING	DRAWN RJJ DATE 2/15/2021 MASS 802889.4 lbmass	SIZE D	DWG NO C1040
NOTICE THE INFORMATION CONTAINED HEREIN IS PROPRIETARY TO CWMF CORP. AND SHALL NOT BE REPRODUCED OR DISCLOSED IN WHOLE OR IN PART, NOR USED FOR ANY DESIGN OR MANUFACTURING PURPOSE UNLESS AUTHORIZED IN WRITING BY CWMF CORP.		REV	



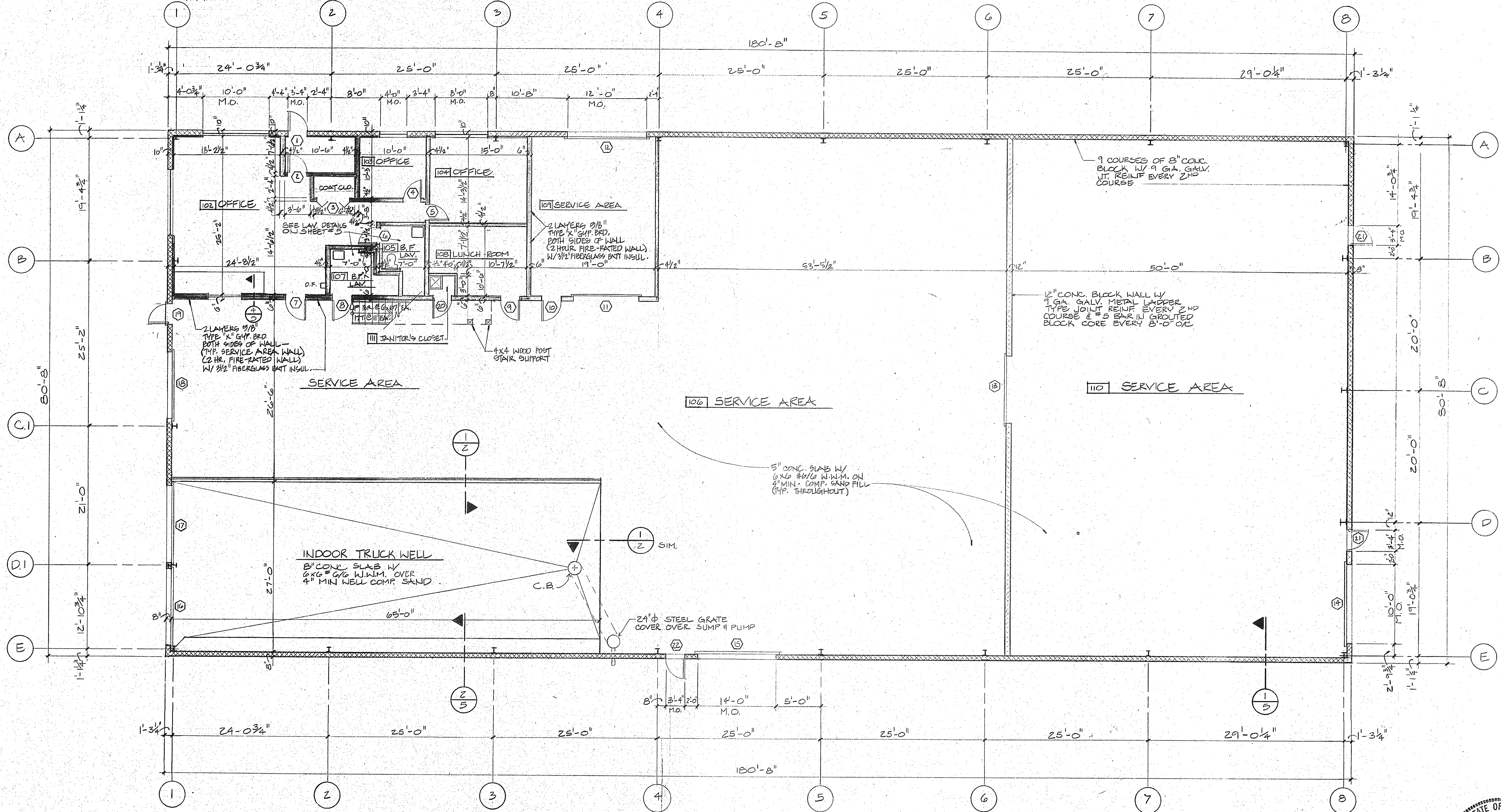


**MEZZANINE PLAN**  
SCALE: 1/8" = 1'-0"  
NORTH

DOOR SCHEDULE	
101 AIR-LOCK	FLOOR - CARPET OVER CONCRETE FLOOR
102 OFFICE	BASE - 4" HIGH RUBBER BASE
103 OFFICE	WALLS - PAINTED GYPSUM BOARD
104 OFFICE	CEILING - PAINTED 5/8" TYPE "X" GYPSUM BOARD
105 BARRIER FREE LAVATORY	FLOOR - SOLID VINYL TILE (CONCRETE W/SEALER IN JANITOR CLOSET)
107 BARRIER FREE LAVATORY	BASE - 4" HIGH RUBBER BASE
108 LUNCHROOM	WALLS - PAINTED GYPSUM BOARD
111 JANITOR CLOSET	CEILING - PAINTED 5/8" TYPE "X" GYPSUM BOARD
106 SERVICE AREA	FLOOR - CONCRETE FLOOR W/SEALER
109 SERVICE AREA	BASE - 4" HIGH RUBBER OR GYPSUM BOARD WALL
110 SERVICE AREA	ROHS OR BLOCK WALL - PAINTED GYPSUM BOARD, EXPOSED STRUCTURE
	CEILING - PAINTED CONCRETE BLOCK - NONE - EXPOSED STRUCTURE
201 MEZZANINE	FLOOR - 3/4" 1-HOUR FIRE RATED 7. & G. PLYWOOD
	BASE - EXPOSED STRUCTURE
	WALLS - EXPOSED STRUCTURE
	CEILING - EXPOSED STRUCTURE
202 MECHANICAL ROOM	FLOOR - 3/4" 1-HOUR FIRE RATED 7. & G. PLYWOOD
	BASE - NONE
	WALLS - PAINTED 5/8" TYPE "X" GYPSUM BOARD, BOTH SIDES OF WALL
	CEILING - PAINTED 5/8" TYPE "X" GYPSUM BOARD

FINISHING SCHEDULE:	
(all colors are to be selected by the Owner)	
Interior: Gypsum Board:	
1. One coat of primer sealer	
2. One coat of interior latex wall paint	
Wood Doors and Woodwork:	
1. Sand smooth	
2. One coat of wood stain	
3. One coat of Sanding Sealer	
4. Two coats of polyurethane (semi-gloss) (sand smooth between coats)	
Concrete Block:	
1. Interior:	
A. One coat of block filler	
B. One coat of interior latex, sealer type (non breathing and non chalking)	
2. Exterior:	
A. One coat of block filler	
B. One coat of exterior latex, breather type non chalking paint	

NOTE: SEE FLOOR PLAN FOR LOCATION OF 2-HR. FIRE-RATED WALL - USE 2-LAYERS 5/8" TYPE "X" GYPSUM BOARD



**FLOOR PLAN**  
SCALE: 1/8" = 1'-0"  
NORTH

do not scale this print, use figured dimensions only.

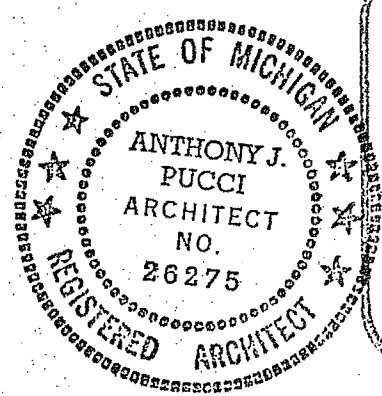
**PC Architectural Group**  
210 S. EAST ST. • BRIGHTON, MI 48116 • (313) 229-4775 • (313) 229-5147  
MEMBER AMERICAN INSTITUTE OF ARCHITECTS

PROJECT: **ADVANCE METAL ALLOYS**  
SHEET TITLE: **FLOOR PLAN**  
3520A TAP, MI.

No.	Date	By	Notes

Drawn: **MH**  
Checked:  
Approved:  
Date: **AUG 11, 1992**  
Project: **2044**

Sheet: **3**



BRUNING 44-33 71522





**GENOA CHARTER TOWNSHIP  
PLANNING COMMISSION  
PUBLIC HEARING  
SEPTEMBER 13, 2021  
6:30 P.M.  
MINUTES**

CALL TO ORDER: Chairman Grajek called the meeting of the Genoa Charter Township Planning Commission to order at 6:30 p.m. Present were Chris Grajek, Jeff Dhaenens, Jim Mortensen and Marianne McCreary. Also present were Kelly VanMarter, Community Development Director/Assistant Township Manager; Brian Borden of Safebuilt Studio; and Shelby Byrne of Tetra Tech. Absent were Eric Rauch, Jill Rickard, and Glynis McBain.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was recited.

APPROVAL OF AGENDA:

Chairman Grajek advised that the applicant for Item #1 under "New Business" has requested to have their hearing postponed this evening; however, there will still be a call to the public for anyone who wishes to speak tonight.

**Moved** by Commissioner Dhaenens, seconded by Commissioner McCreary, to approve the agenda as presented. **The motion carried unanimously.**

DECLARATION OF CONFLICT OF INTEREST: None

CALL TO THE PUBLIC: The call to the public was made at 6:32 pm with no response.

**OLD BUSINESS:**

**OPEN PUBLIC HEARING # 1...**Review of a special use application, environmental impact assessment and site plan for a proposed 28,851 sq. ft. addition for a retreat center which will include overnight stays located at 1391 Kellogg, southwest corner of Kellogg and McClements Roads. The request is petitioned by the Chaldean Catholic Church of the U.S.A.

- A. Recommendation of Special Use Application
- B. Recommendation of Environmental Impact Assessment (3-15-21)
- C. Recommendation of Site Plan (3-15-21)

Ms. Eavan Yaldo of Saroki Architecture, Mr. Vincent Jarbow, Finance Officer for the Chaldean Catholic Church, Mr. Burt Kassab, Chairman of the Our Lady of the Fields Committee, and Mr. Mike Hickey, Camp Administrator and Executive Director of the camp, were present.

Ms. Yaldo provided a review of the proposed project. She stated there have been two major changes to their proposal since their last presentation before the Planning Commission. The



first change is that the center will be limited to Christian retreats only. Non-religious groups will not be using the property. Also, the capacity will be reduced from 80 to 60 participants to help with the concerns regarding the noise and traffic. If they desire to increase the capacity in the future, they would seek approval from the Township.

They have provided an updated operations plan. This is not a hotel or motel and is not defined as such in the zoning ordinance. They will host groups for retreats and not individuals for overnight stays. They have a fence contractor scheduled to make the repairs; however, lead times are long. The property personnel will begin removing the overgrown and dead branches in preparation for this work.

Commissioner Mortensen stated that during previous meetings, the Commissioners requested that there be no outdoor amplification. Ms. Yaldo stated they are wishing to abide by the noise ordinance of Genoa Township. Ms. VanMarter stated that the Township Attorney advised that we cannot put stricter restrictions on the property than what is in the ordinance.

Mr. Borden reviewed his letter dated September 8, 2021.

- The proposal now prohibits use of the Retreat Center by non-religious groups.
- The maximum occupancy for the Retreat Center will be reduced to 60 people. The floor plan depicting 80 beds will be revised accordingly.
- The Operational Plan includes standards for staff to be present and/or available during events, as well as for property maintenance and clean-up after events.

Ms. Byrne stated her comments have not changed since her letter dated April 7, 2021.

- The parking calculations are reasonable.
- The Genoa Township Zoning Ordinance requires that the parking lot be hard surface with concrete curb and gutter. However, an aggregate parking lot may be considered as a Low Impact Development alternative to the zoning requirements. Through the discussions with the Planning Commission, the Petitioner has agreed to pave the parking spaces that are immediately adjacent to the proposed access drive/fire lane. This reduced paving is acceptable from an engineering point of view.

Fire Marshall Rick Boisvert's letter dated September 7, 2021 states that the operations plan does not affect his current approval.

The call to the public was made at 6:45 pm.

Mr. Mike Berean of 1273 Euler asked if the Planning Commission or the applicant knows if Euler Lake is designated as an all-sports lake. Ms. VanMater stated it is a private lake and that it is designated by the DNR. He stated that after the last meeting, someone went on the lake on the applicant's property with a gas-powered speed boat. He asked what is the capacity of all

buildings if they were at full occupancy at one time and does the Impact Study address this to ensure that the septic system can accommodate that amount of people.

Karen, who is building a house near this property stated the property does not have City water or sewage. There will be a lot of people on their water table. Her property is lower than this property and she thinks the sewage may be a problem. She did not get to build the shape or size of what she wanted because of the zoning limits. She knew this information when she started building. The applicant knew the zoning and are asking to change it. This sounds like a hotel and this property is not zoned for a hotel. She asked how the community will benefit from the project.

Mr. James Drouillard of 6781 Felice is again asking the Township to deny approving this request. He did not have an issue with the camp, but he is not in favor of the retreat center. The Planning Commission previously told him that the Livingston County Sheriff sent a letter in support of this project. He has spoken to the Sheriff and he stated that if this is a year-round retreat center, he would withdraw his support letter. He reviewed the letters of support that have been received and 90 percent of the people who wrote these letters live or represent someone 2 to 25 miles away. He has signatures of 23 people who live within  $\frac{3}{4}$  miles of the property. Almost unanimously the residents are against the retreat center.

Scott Brock of Cooper and Riesterer is an attorney who was asked by several residents in the area to come speak at tonight's meeting. He reviewed the items that must be satisfied to approve a special land use, per Section 19.03 of the zoning ordinance and how the applicant has not addressed these items. There are too many issues outstanding so the request should be denied.

Ms. Lynn Drouillard of 6781 Felice stated this is a rural area with wildlife. It is a farm community. She has no issue with the summer camp, but is not in favor of the retreat. She does not feel this fits into this neighborhood. She will lose, at a minimum, 10 percent of the value of her home.

Ms. Dory Berean of 1273 Euler Road feels that the expanded use of this property is going to continue to cause nuisance problems. They have retained an attorney and are willing to go to court regarding the nuisance. She asked the Township to stay with the Master Plan.

Ms. Patricia Kopicko of 6843 Felice Drive stated that with the capacity of 60 people every day, that would generate over 21,000 vehicles annually and that is only the retreat and not the camp. This does not fit the rural atmosphere of this neighborhood. From her deck, it will be a two-story brick building and it will look like a hotel. It will be a commercial use and the applicant will make a profit. The packet states there have been no noise complaints over the last three years, but that is false. The applicant has not made changes in the past and she is not sure they will do it going forward.

Mr. Steve Oliveri of 1200 Kellogg Road questioned if a full-time contact for the camp has been chosen and who will monitor that there will only be 60 people at the retreat center and that the noise ordinance will be met. He noted that the applicant's other camps were in commercial areas and this camp is not.

Mr. Charles Saliba of 1829 Kellogg Road stated the changes made by the applicant are for only right now. He is concerned with what will happen in the future and that it can continue to grow.

Mr. Todd Gessert of 1090 Kellogg Road stated the activity will occur on the edges of the property next to the residential areas because the lake is in the middle of the property. This use is not in line with the zoning ordinance. The building size has not changed so they are still able to have the original capacity of 80 participants. The applicant has still not fixed the fence. The applicant is going to continue to grow this use. It does not benefit the community; it is a detriment.

The call to the public was closed at 7:18 pm.

Commissioner Mortensen stated that the Livingston County Health Department must approve the water and sewer capacities before a building permit can be issued. This use is a Public Recreational Facility, and in that zoning, religious uses are rights and do not need a special use. Mr. Borden stated the retreat center is an expansion of the private campground. If it was an expansion of the church, then it would not have required special use approval and would have only required approval of a site plan.

Commissioner Dhaenens advised the public that the Township has no control over the applicant having a boat on the lake. It is their lake and they can use it. He noted that the speakers stated they are ok with the existing camp, which can have over 1,100-day campers. All of the complaints seem to be about the past and how the property was used prior. He said "shame on you for not fixing the fence" to the applicant. The residents have been requesting this for two years. He applauds them for going down in scope, providing an operational plan, and on-site personnel, but he would like to know why the fence hasn't been fixed. He is looking at the criteria for approval and it appears as though this meets them; however, he is concerned why the applicant wasn't neighborly and fixed the fence. He noted that the building has not been made smaller with the reduction in the capacity limit to 60 retreaters.

Commissioner McCreary visited the site last week and the property is beautiful. The facility is beautiful. The dormitories, eating hall, and bathrooms were meticulous. That environment for wanting to relax and be close to nature and God is perfect. She struggles with this being compatible with the surrounding residential area.

Commissioner Mortensen stated it has been a campground for many years, and even before many of the surrounding residents moved there. The property owner has the right to develop

their property; however, he is also concerned with its compatibility with the surrounding neighborhood. He asked Ms. VanMarter how many homes could be built on this site if it was developed as residential. Ms. VanMarter stated it is master planned for two-acre parcels, which would allow for no more than 40 homes to be built on this property although it would likely be much less once you accommodate roads and utilities.

Ms. Yaldo addressed the concerns raised by the public and the Planning Commission. She stated that Mr. Hickey has been the camp director for three years and he has worked very hard to improve and maintain the site. She appreciated Commissioner McCreary visiting the site. She agrees that it is a beautiful property and they feel it is a compatible use with the by-right use of the church. They have been clear and have provided all of the information and addressed their plan to move forward. She stated that the camp is on the north side of the lake and this retreat center will be on the south side and that use will be much quieter than the camp. She reiterated that they will not exceed the capacity of 60 participants.

The septic system has been designed and engineered to meet capacity and Livingston County standards.

The perception is that all noise and traffic in the area is always associated with the camp. Who drives on the roadway is not able to be controlled and it is not always due to their property. Their operations plan is their rules and laws; this is what they would abide by. If the concern is with traffic and noise, reducing the capacity would be a solution. They would like to build a building this size in the case that there would ever be a desire to increase the capacity. It would be more cost effective to do it now than add on at a later time.

She stated this is compatible with the surrounding area. This is a different zoning than theirs so there will be some allowable differences. They meet the ordinance requirements. She added that their plan has received approval from both the Township's Planner and Engineer.

Mr. Hickey stated they took over the camp three years ago. They have a lot of neighbors who are in support of this camp. He reiterated that there were two reunions that were held because they were already confirmed. Since they have been there, they have hosted 170 groups and he thinks that the neighbors wouldn't even know they were there. They have also had a lot of campers over the last three years. They have put in a lot of effort to improve and maintain the grounds. They have not had any issues. The uses that were happening before have not happened since they took it over three years ago. He is having difficulty finding a contractor to repair the fence. They need to have the downed trees and extra foliage removed prior to having the fence repaired. It is a large project and they know it is a priority. They benefit the community because they are hosting many teenage groups. They are enjoying being together after the last year and a half.

Mr. Kassab stated that if they violate the 60-participant limit, then their permit can be revoked. He suggested putting this as a condition of their approval. As was noted earlier, since this building and use is connected to the church, does this item even need to be here this evening. The fence will get fixed. They can post a bond if it is requested by the Township. This is not a hotel. It is donation based, and they are not looking to earn a profit. They are hoping that people will come and get closer to Jesus Christ.

Ms. VanMarter noted that there are only four members of the seven-member Commission present this evening, so for an item to be approved, it would need yes votes from three of the four members. If there is a tie, then it is considered a failed motion. All applicants this evening have the option to have their item tabled until there is a full Commission if they so desire.

**Moved** by Commissioner Mortensen, seconded by Commissioner McCreary, to recommend to the Township Board denial of a special use permit for the Prophet Elijah retreat center for the following reasons:

- The proposal is not compatible with the goals, objectives, and policy of the Genoa Township Master Plan.
- The proposal is not compatible with the zoning and existing conditions in the immediate area.
- The site is inadequately serviced by highways to permit such an activity.

**The motion carried (Dhaenens - no; McCreary - yes; Grajek - yes; Mortensen - yes).**

**Moved** by Commissioner Mortensen, seconded by Commissioner McCreary, to recommend to the Township Board denial of the Impact Assessment dated March 15, 2021 for the Prophet Elijah retreat center for the following reasons:

- The proposal is not compatible with the goals, objectives, and policy of the Genoa Township Master Plan.
- The proposal is not compatible with the zoning and existing conditions in the immediate area.
- The site is inadequately serviced by highways to permit such an activity.

**The motion carried (Dhaenens - no; McCreary - yes; Grajek - yes; Mortensen - yes).**

**Moved** by Commissioner Mortensen, seconded by Commissioner McCreary, to recommend to the Township Board denial of a Site Plan dated March 15, 2021 for the Prophet Elijah retreat center for the following reasons:

- The proposal is not compatible with the goals, objectives, and policy of the Genoa Township Master Plan.
- The proposal is not compatible with the zoning and existing conditions in the immediate area.
- The site is inadequately serviced by highways to permit such an activity.

**The motion carried (Dhaenens - no; McCreary - yes; Grajek - yes; Mortensen - yes).**



The Planning Commission took a five-minute recess from 8:06 to 8:11 pm.

**OPEN PUBLIC HEARING # 2...** Review of an amendment to the previously approved Grand River/Lawson Planned Unit Development, site plan and environmental impact assessment to allow for a drive-through car wash. The proposed project is located on the vacant northeast corner of Grand River and Lawson Drive including parcels 4711-09-200-039, 040, and 041. The request is petitioned by ROC Wash Holdings, LLC.

- A. Recommendation of PUD Amendment.
- B. Recommendation of Environmental Impact Assessment. (6-28-21)
- C. Recommendation of Site Plan. (7-20-21)

Mr. Bruce Zeinstra of Holland Engineering stated they have addressed the comments from the Planning Commission and consultants discussed at the previous meeting, including the REU calculations. He noted he has not submitted the storm calculations; however, he will provide them as soon as possible.

Mr. Borden reviewed his letter dated September 7, 2021.

- Building materials and color schemes are subject to review and approval by the Planning Commission.
- The Township may require a public sidewalk along Lawson Drive, if deemed necessary.
- The applicant notes grading and drainage concerns as reasons to not install a sidewalk.
- The current submittal does not include the waste receptacle details or lighting plan previously provided.
- The revised landscape plan is still deficient in plantings around the detention pond (5 trees); however, he does not believe there is room in this area to plant more trees.
- There are minor discrepancies between the landscape plan and plant list that need to be corrected.
- The applicant must obtain a sign permit from the Township prior to installation of any signage.
- The applicant must address any comments provided by the engineering consultant, or Fire Authority.

Ms. Byrne reviewed her letter dated September 2, 2021.

- The proposed car wash does not have any bypass lane to allow drivers to get out of line after they enter. An emergency bailout lane with a double curb and sidewalk is provided after the area where customers pay to enter the car wash. The Planning Commission may want to require a bypass lane, and the emergency bailout should be designed for car traffic, rather than being designed as sidewalk. Mr. Zeinstra stated it is made of concrete so it looks like a sidewalk; however, it is designed for vehicular traffic. The Planning Commission requested that curbs be placed here.

- The Petitioner must provide calculations that detail how the proposed storage volumes were calculated. Mr. Zeinstra stated he will provide this information.
- Calculations should also be provided to show that the proposed onsite storm sewer is adequately sized.
- The proposed detention pond will outlet to the existing storm sewer off Grand River Avenue. The storm plan should be reviewed and approved by Livingston County Road Commission and MDOT prior to site plan approval.
- The Petitioner has worked with Township staff and the utility director to determine an REU rate for the proposed car wash. They have settled on using the rate provided on the REU table for car washes with recycle, which is 25.2, while using prevailing REU rates, rather than the rates defined in the original PUD agreement.

Fire Marshall Rick Boisvert's letter dated August 31, 2021 states that the applicant has addressed his previous concerns.

The call to the public was made at 8:25 pm with no response.

**Moved** by Commissioner Mortensen, seconded by Commissioner Dhaenens, to recommend to the Township Board approval of the PUD Amendment adding a drive-through car wash as a permitted use to the existing agreement and adjusting the connection fees, conditioned upon the addition of the Township Attorney's additions on Page 141 of the Agreement. **The motion carried unanimously.**

**Moved** by Commissioner Mortensen, seconded by Commissioner Dhaenens, to recommend to the Township Board approval of the Environmental Impact Assessment dated June 28, 2021 for Tommy's Automated Through Car Wash. **The motion carried unanimously.**

**Moved** by Commissioner Mortensen, seconded by Commissioner McCreary, to recommend to the Township Board approval of the Site Plan dated July 21, 2021 for Tommy's Automated Car wash, subject to the following:

- The building materials reviewed this evening are acceptable and shall become Township property.
- The landscape plan is acceptable as submitted.
- The applicant shall work with Township Staff on the bypass lane prior to submission to the Township Board.
- The requirements of the Township Engineer's letter dated September 2, 2021 and the Brighton Area Fire Authority's letter dated August 31, 2021 will be met.

**The motion carried unanimously.**

**NEW BUSINESS:**

**OPEN PUBLIC HEARING # 1...**Review of a special use application, environmental impact assessment and site plan for a commercial stable located at 7318 Herbst Road, south side of Herbst Road, east of Hubert Road. The request is petitioned by the Nancy Merlo, Brighton Equestrian Club.

- A. Recommendation of Special Use Application
- B. Recommendation of Environmental Impact Assessment (5-1-19)
- C. Recommendation of Site Plan (7-16-21)

Chairman Grajek stated the applicant requested to have this item tabled this evening; however, a call to the public will be made.

The call to the public was made at 8:32 pm.

Mr. Bill Kapelanski of 2636 Spring Grove Drive does not understand the commercial aspect of this being requested now because they have been in business for over three years. Ms. VanMarter stated that the applicant was building a private stable for her own horses; however, after the building was completed they started having non-equestrian events at the location, such as parties, baby showers, etc. so this makes it a commercial instead of a private use.

Mr. Kapelanski stated he and his neighbors have always thought it was a commercial use. He is concerned with the horse manure seeping into the community kettle pond that they share, hearing gunshots from the property, and the traffic that is on Herbst Road.

Mr. Hugh Rowe of 2550 Spring Grove Drive stated what was built there is not compatible with the surrounding neighbors in the area. If this will be expanded and used for more events, he will be concerned.

Mr. Mark Faulkner of 2496 Spring Grove Drive has approximately ¼ mile of shared property with the applicant. The applicant is spreading manure 10 feet from their property line and their well is also in that area. He is concerned with the quality of the water in the shared kettle pond, the construction equipment that the applicant stores on her property for their cement business, and the traffic on Herbst Road.

Mr. James Rohrer of 7442 Herbst Road objects to this proposal due to the traffic, the construction equipment traffic and its storage on their property. There has been a police response at one of the weddings, and the use of holding weddings where there will be alcohol is not appropriate for the middle of a subdivision. The applicant has contacted a neighbor to request to purchase her property and expand her business.

Ms. VanMarter stated she has received all of the public letters and has forwarded them to the Commission. She has another one from another neighbor and she will be shared with the Commission in the next meeting packet.

The call to the public was closed at 8:47 pm.

**Moved** by Commissioner Dhaenens, seconded by Commissioner McCreary, to table the review of a Special Land Use, Environmental Impact Assessment and Site Plan for commercial stable located at 7318 Herbst Road until the Tuesday, October 12, 2021 Planning Commission meeting per the applicant's request. **The motion carried unanimously.**

**OPEN PUBLIC HEARING #2...**Review of a sketch plan for a proposed trash compactor inside the existing Salvation Army building and removal of the existing dumpster enclosure located at 7000 Grand River, Brighton. The request is petitioned by The Salvation Army Southeast Michigan ARC.

A. Disposition of Sketch Plan

Ms. Courtney Rauch of the Salvation Army stated they would like to install a compactor inside the warehouse portion of the store. This would reduce truck traffic and would remove the existing dumpster enclosure. They would like to keep the parking spaces that are located in front of the proposed door for the compactor because the compactor will be changed prior to business hours. The property owner has advised they will improve the landscape as requested by the Township.

Mr. Borden reviewed his letter dated September 8, 2021.

- The only external modification is the inclusion of a new overhead door on the westerly façade.
- We suggest the space in front of the overhead door be signed/striped as no parking. He is not concerned with the parking space remaining per the reasoning noted by the applicant this evening.
- If any existing site landscaping is in poor condition, such plantings should be replaced as part of this project.

Ms. Byrne stated they have no engineering related concerns with this proposal.

Fire Marshal Rick Boisvert's letter dated September 2, 2021 stated that the fire code permits the installation of the compactor and associated dumpster to be installed within the structure as it is protected throughout with an automatic sprinkler system. The existing fire lane markings shall be maintained and evaluated at time of inspection. The fire lanes shall not be obstructed by construction materials, dumpsters, or vehicles. Signs shall be maintained to be legible and unobstructed by vegetation.

Commissioner McCreary asked what items will be put in the compactor and how it will be used. She is concerned about safety. Ms. Envoy Jaqueline stated it is a 16-yard compactor that will be used for everything that cannot be used or sold, with the exception of cloth goods, as well as

trash that is generated by the business. She advised she can provide the Township with the specifications for the compactor. This will significantly decrease their amount of trash truck traffic.

The call to the public was made at 8:58 pm with no response.

**Moved** by Commissioner McCreary, seconded by Commissioner Dhaenens, to approve the sketch plan for The Salvation Army located at 7000 Grand River Avenue for the installation of a new trash compactor and removal of the existing waste receptacle enclosure, conditioned upon the following:

- The parking space located at the door will remain available for use
- The overhead door shall remain closed when the compactor is not being serviced.
- The requirements of the Brighton Area Fire Authority's letter dated September 2, 2021 shall be met.

**The motion carried unanimously.**

**OPEN PUBLIC HEARING #3**...Review of an amendment to a site plan in regard to landscaping for the previously approved Birkenstock Planned Industrial Development agreement for a climate control self-storage building located at 2600 Harte Drive, Brighton. The request is petitioned by James Harte.

A. Recommendation of Site Plan Amendment.

Mr. James Harte stated that landscaping supplies are difficult to obtain right now because of COVID and he is not going to be able to get those required by the approval. He is requesting that the number and size of the plantings be reduced so that they can be installed this season. He noted that the trees on the adjacent property are overgrown and block their view of his property.

Mr. Borden reviewed his letter dated September 8, 2021.

- The proposed landscape plan reduces the quantity and size of plantings required for the east, west, and south buffer zones, as well as both detention ponds.
- The proposed plan entails an overall reduction of 402 shrubs from the approved plan.
- All of the required canopy/deciduous trees are to be reduced in size from 2.5" (required) to 1.75"-2".
- The Planning Commission has the authority to waive or modify landscaping requirements, per Ordinance Section 12.02.13.

Mr. Borden noted that 290 of the 402 shrubs are around the detention ponds.

Commissioner Mortensen noted that the landscaping around the detention ponds are only able to be seen by people accessing the site and not the abutting neighbors. Commissioner McCreary agrees.



Ms. Byrne stated they have no issues related to this proposal.

Commissioner Dhaenens can compromise, but he is not in agreement with removing 402 plantings.

Chairman Grajek is in favor of allowing the reduction of the area around the ponds as long as grass is planted and is maintained. There is plenty of foliage around the perimeter of the site.

It was discussed to change the site's requirement from Buffer Zone B to Buffer Zone C as it is more similar to an office use than an industrial use. Additionally, after the site is developed and the requirements of Buffer Zone C are planted, Staff can review the site to determine what the final requirements would be.

The call to the public was made at 9:35 pm with no response.

**Moved** by Commissioner Mortensen, seconded by Commission McCreary, to recommend to the Township Board approval of the revised landscape plan for Birkenstock Enterprises as follows:

- Reduction in size of canopy and deciduous trees size from 2.5" to 1.75"-2"
- The Planning Commission recommends to the Board that approval for the remaining landscape plan for shrubs be deferred until Township Staff has had a chance to review and potentially change the quantity and location of shrubs depicted on the original plan.

**The motion carried all yes, but Jeff.**

The Planning Commission took a five-minutes recess from 9:38 to 9:43 pm.

**OPEN PUBLIC HEARING #4...**Review of an amendment to the previously approved Lorentzen Planned Unit Development, site plan and impact assessment for a proposed drive-through restaurant located at 4207 E. Grand River, Howell. The request is petitioned by Howell Grand Plaza LLC.

- A. Recommendation of PUD Amendment.
- B. Recommendation of Environmental Impact Assessment. (6-11-21)
- C. Recommendation of Site Plan. (8-24-21)

Mr. Eric Williams of Stonefield Engineer and Design Matt Burke, the property manager, were present.

Mr. Williams stated they are proposing to fill one of the vacant units with a drive through restaurant, Lefty's Cheesesteak. They are asking for relief for two items; one is for the drive through and the other is for the parking requirements. He explained the process of determining parking requirements for this use, in this location, and the needs of the other uses in the building and why they are requesting the deviation.

Mr. Burke explained why they are requesting a deviation from the required drive through stacking. Lefty's has a limited menu and they anticipate needing stacking for only three vehicles at one time as only 20 percent of the traffic on that site will use the drive through. Much of their business is curbside pick up, dine in, and the food delivery companies. He added that they have never had a parking problem on this site.

Commissioner Mortensen noted there is one owner for the entire building so the parking can be shared. Also, there was previously a bank with a drive thru in this tenant space. Ms. VanMater noted that amending the PUD would be to allow for all drive through restaurants, and not just for Lefty's. Any drive through restaurant will be able to be put there if the amendment is approved as written.

Mr. Borden reviewed his letter dated September 7, 2021.

- The dimensional deviations sought need to be enumerated in the amended PUD Agreement. These divisions are as follows:
  - The existing building does not provide the minimum required setback of 50 feet from the east or west lot line.
  - The existing development provides two access points to Figurski Drive, while only one is allowed.
  - The Township should determine whether a sidewalk is needed along Figurski Drive. Mr. Williams stated there is already a sidewalk on the west side of Figurski Drive.
  - The drive-through lane is deficient by six stacking spaces.
  - The site does not provide the two required spaces for RV or semi-truck parking.
- The Commission should discuss the appropriate method of determining the required parking calculations (Shopping center vs. restaurant with drive-through). If it is a shopping center then they have sufficient parking; however, if it is looked at as a drive thru restaurant, then they are deficient. He suggested if it is looked at as a drive thru restaurant in a shopping center with shared parking, then they are within the requirements. It also is dependent on the other uses within the center.
- If any existing landscaping is in poor condition, such plantings should be replaced as part of this project.
- If the project is approved, the applicant must obtain a sign permit from the Township prior to installation of any signage.
- The applicant must address any comments provided by Engineering or Fire.

Chairman Grajek stated that since there are 25 parking spaces in the rear of the building, there are essentially only approximately 65 spaces available.

Ms. Byrne revised her letter dated September 2, 2021

- The proposed drive-through stacking space dimensions and drive aisle dimensions next to the drive-through do not match the requirements from the Township's ordinance, but

the Petitioner has noted this as an existing nonconformity, as this is how the previously operated bank drive-through was designed.

- The previously submitted plans showed 10 stacking spaces for the drive-through. This stacking blocked access to the waste receptacle and loading area and resulted in a non-compliant one-way access drive at the rear of the building at 15-feet wide. The revised plans only show four stacked spaces to eliminate these issues but has not provided any information to demonstrate that four stacking places is typical for the proposed use. Mr. Burke reiterated his explanation for the division request. They tried to comply with the requirements of 10 spaces; however, they did not need it and it caused further issues with the Fire Authority so they are requesting a deviation from the stacking requirements.
- The Petitioner should obtain approval from the Brighton Area Fire Authority prior to approving the proposed use.
- Additional signage should be used near the entrance and at the east end of the parking lot to direct people around the building and to the drive-through.

Chairman Grajek asked the petitioner if he had received Fire Marshall Rick Boisvert's letter dated September 2, 2021. Mr. Williams stated he will address Mr. Boisvert's comments.

Commissioner Dhaenens is concerned with the parking and the drive through stacking; however, he would like to see this go forward since the building is vacant.

The call to the public was made at 10:25 pm with no response.

**Moved** by Commissioner Mortensen, seconded by Commissioner Dhaenens, to recommend to the Township Board approval to amend the Lorenzen PUD Amendment to permit a drive through restaurant at 4173 E Grand River Avenue for a fast-casual restaurant with primarily in-house and carry out dining and limited drive through sales, based on the following conditions:

- Approval of the amendments by the Township Attorney, limiting drive through restaurants to predominantly carryout service
- A drive through restaurant shall be for this tenant space only
- Approval of the following deficiencies:
  - Reduced setbacks from east and west lot lines
  - Two access points to Figurski when only one is allowed
  - Reduction of six stacking spaces for the drive through
  - The requirement of two longer RV spaces

**The motion carried unanimously.**

**Moved** by Commissioner Mortensen, seconded by Commissioner Dhaenens, to recommend to the Township Board approval of Environmental Impact Assessment dated June 11, 2021 to permit a drive through restaurant at 4173 E Grand River Avenue for a fast-casual restaurant with primarily in-house and carry out dining and limited drive through sales

- Approval by the Township Attorney, limiting drive through restaurants to predominantly carryout service
- The brochure showing the mix of sales of in house, drive through, and carry out shall be attached as part of the Environmental Impact Assessment.

**The motion carried unanimously.**

**Moved** by Commissioner Mortensen, seconded by Commissioner Dhaenens, to recommend to the Township Board approval of the Site Plan for Lefty's Cheesesteak restaurant dated August 24, 2021, subject to the following:

- The requirements of the Township Engineer's letter dated September 2, 2021 shall be met.
- The requirements of the Brighton Area Fire Authority's letter dated September 2, 2021 shall be met.
- Any landscaping on the site that is in poor condition or dead shall be refreshed or replaced.

**The motion carried unanimously.**

## ADMINISTRATIVE BUSINESS

### **Staff Report**

Ms. VanMarter stated the next meeting will be on Tuesday, October 12, 2021 and she anticipates having four items for review. She suggested having a special meeting in October to discuss the Master Plan. There will also be open houses scheduled for this in November.

### **Approval of the August 9, 2021 Planning Commission meeting minutes**

**Moved** by Commissioner McCreary, seconded by Commissioner Dhaenens, to approve the minutes of the August 9, 2021 Planning Commission Meeting as presented. **The motion carried unanimously.**

### **Member Discussion**

There were no items to discuss this evening.

### **Adjournment**

**Moved** by Commissioner McCreary, seconded by Commissioner Mortensen, to adjourn the meeting at 10:48 pm. **The motion carried unanimously.**

Respectfully Submitted,

Patty Thomas, Recording Secretary

DRAFT